

IN THE MATTER OF THE
THE APPLICATION OF
DENNIS E. CUOMO, ET UX
FOR A SPECIAL HEARING,
SPECIAL EXCEPTION AND
VARIANCE ON PROPERTY LOCATED
ON THE WEST SIDE DULANEY
VALLEY ROAD, 192' NORTH OF
SWARTHMORE DRIVE
(1018 DULANEY VALLEY ROAD)
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 93-333-SPHXA

OPINION

This case came before this Board on appeal from a decision of the Deputy Zoning Commissioner dated June 21, 1993. As noted in the appeal letter, the only issue before the Board was the Deputy Zoning Commissioner's determination that the sign on the property not be illuminated. An open hearing was held on December 9, 1993, and, at the conclusion of the evidence and testimony, the Board conducted open deliberations.

The Board finds that Section 20.3.C.1 applies in these proceedings wherein it provides that signs of the type being requested by the Petitioner not be illuminated. It appears to this Board that the Petitioner is requesting a use variance as opposed to an area variance, and under these circumstances, the Board has no authority to grant the requested relief.

However, assuming for the moment that the Board does have authority to grant the illuminated sign, we feel that the evidence and testimony do not support such a finding. The Petitioner's testimony clearly establishes that the lighted sign after 5:00 p.m. would be more of a convenience for him rather than a necessity, since he testified that he does not schedule appointments to see

Case No. 93-333-SPHXA Dennis E. Cuomo, et ux 2
clients after 5:30 p.m. It is clear to the Board that the type of sign that the Petitioner wishes to have illuminated for evening purposes is of an advertising nature as opposed to a directional or identification nature for the purpose of his clients. This Board believes that the spirit and intent of the Baltimore County Zoning Regulations, and in particular Section 20.3.C.1, would not be carried out were this Board to permit such an illuminated sign at this particular site.

ORDER

IT IS THEREFORE this 16th day of December, 1993 by the County Board of Appeals for Baltimore County

ORDERED that Petitioner's request for an illuminated sign on the subject site be and is hereby DENIED.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Michael B. Sauer
Michael B. Sauer, Acting Chairman
Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

IN THE MATTER OF THE
THE APPLICATION OF
DENNIS E. CUOMO, ET UX
FOR A SPECIAL HEARING,
SPECIAL EXCEPTION AND
VARIANCE ON PROPERTY LOCATED
ON THE WEST SIDE DULANEY
VALLEY ROAD, 192' NORTH OF
SWARTHMORE DRIVE
(1018 DULANEY VALLEY ROAD)
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 93-333-SPHXA

CONCURRING OPINION

I concur with the majority opinion to the extent that I do not believe that this Board has authority to grant this variance since it is not an area variance. However, I disagree with the remainder of this Board's findings.

William Clark
C. William Clark
County Board of Appeals
of Baltimore County

DATE: December 16, 1993

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

December 16, 1993

Dennis E. Cuomo, Esquire
323-325 South Conkling Street
Baltimore, MD 21224

RE: Case No. 93-333-SPHXA
Dennis E. Cuomo, et ux

Dear Mr. Cuomo:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter. Also enclosed is a copy of Mr. Clark's Concurring Opinion.

Very truly yours,
Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Ms. Kathleen Stringfield
Mr. Harold W. Tinsley
Mr. Joseph Wantz
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director/ZADM

Printed with Soybean Ink
on Recycled Paper

IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE -
W/S Dulane Valley Road, 192' N
of Swathmore Drive
(1018 Dulane Valley Road)
9th Election District
4th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-333-SPHXA

Dennis E. Cuomo, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Dennis and JoAnne Cuomo. The Petitioners request a special hearing to approve an amendment to the special exception granted in prior Case No. 86-173-X which permitted the conversion of the subject property, zoned R-O, from a Class A to a Class B office building, subject to certain conditions, and further, to revisit issues raised in prior Case No. 88-357-SPH, or, in the alternative, special exception relief for the existing Class B office building with medical offices exceeding 25% which existed prior to the effective date of Bill No. 37-88. The Petitioners also request a special hearing and/or special exception to amend the CRG Plan for the subject property to be consistent with its present use. Lastly, the Petitioners request a variance from Section 20.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing 25 sq.ft. sign in lieu of the maximum permitted 8 sq.ft. All of the relief requested is more particularly described on Petitioner's Exhibit 6, the plat to accompany the Petitions filed.

Appearing on behalf of the Petitions were Dennis E. and JoAnn M. Cuomo, property owners. Appearing as Protestants in the matter were Kathleen Stringfield, C.E.O. for Dulane Towers Maintenance Corporation, Harold

W. Tinsley, Director, Physical Plant for Goucher College, Joseph Wantz, Towson Park Community Corporation, and numerous other concerned neighbors.

Testimony indicated that the subject property, known as 1018 Dulane Valley Road, consists of 0.24 acres, more or less, zoned R-O, and is improved with a two-story office building. Said property is well known throughout the Baltimore County Zoning Offices and therefore, a brief review of its history is warranted. The subject property was granted R-O zoning in 1984. In 1985, the previous owner, Dr. Michael Spodak applied for a Class A office use of the subject property and received CRG approval for same, subject to certain restrictions: the hours of operation of the Class A office building were limited to from 9:00 AM to 5:00 PM; no more than five (5) employees were permitted to work at the site; and, only 1470 sq.ft. of the first floor could be devoted to office space. The second floor was neither listed nor approved for office space use. Shortly thereafter, Dr. Spodak enclosed an existing porch area on the first floor containing 133 sq.ft. As a result of this expansion, Dr. Spodak was required to file a Petition for Special Exception to legalize the conversion of the subject property to a Class B office building. In October 1985, Dr. Spodak was granted a special exception for a Class B office building by the then Zoning Commissioner, Arnold Jablon. It should be noted that Dr. Spodak failed to submit an amended CRG plan showing the additional 133 sq.ft. of office space and while the special exception was granted by Mr. Jablon, the approved CRG plan was never amended. Mr. & Mrs. Cuomo now seek to amend the previously approved CRG plan to incorporate the additional 133 sq.ft. of office space.

In the opinion of this Deputy Zoning Commissioner, I do not have the authority to amend a previously approved CRG plan. Such an amendment

must proceed through different channels. Therefore, this portion of the Petitioners' request for special hearing and special exception to amend the previously approved CRG plan for this property must be dismissed.

Notwithstanding the approval of the subject property for use as office space, certain restrictions were attached thereto and still apply to Mr. & Mrs. Cuomo, the present owners of the building. The Cuomos do not feel that they should be required to abide by restrictions that were specifically directed to Dr. Spodak, the previous owner. They request that those restrictions be revisited by this Deputy Zoning Commissioner and modified to allow their use of the property in accordance with its zoning classification.

Along those lines, the Petitioners filed for a special exception requesting permission to utilize the existing building for medical offices exceeding 25% of the gross floor area of the building. It was made apparent to this Deputy Zoning Commissioner by the testimony presented by the Petitioners, and the strong objections voiced by the community and their representative who testified at the hearing, that this particular property is not an appropriate candidate for medical offices. The uncontradicted testimony presented at the hearing was that traffic conditions along Dulane Valley Road at this location are very dangerous. Numerous residents testified concerning accidents and "near-misses" that have occurred along this road and its intersecting streets. Furthermore, there is an exit from the Baltimore Beltway (I-695) at this location which further contributes to the poor traffic situation.

It is well-known that medical offices generate a great deal of traffic, over and above what normally would be associated with an office use. Also, given the requested medical use and the number of parking

spaces provided by this site, I do not feel that there is sufficient parking for the operation of medical offices at this location. Therefore, the Petition for Special Exception to permit medical offices to exist in excess of 25% of the gross floor area of this building shall be denied.

As to the present use of the property, testimony was offered by Mr. & Mrs. Cuomo. Mr. Cuomo, a practicing attorney in Baltimore City and Baltimore County, deemed it necessary to establish an office close to the center of Towson. He purchased the subject property and has located his legal offices on the first floor of the building. Mr. Cuomo currently employs one associate attorney and one secretary, and testified that he maintains office hours at this location on a part-time basis. Presently, the second floor of the building is vacant and the basement is used by the Petitioner's cousin who is an accountant. As a relative, he does not pay any rent to Mr. Cuomo. Mr. Cuomo further testified that the hours of his law office are from 9:00 AM to approximately 5:30 PM. He testified that on occasion, he or his associate will stay until approximately 7:00 PM, but that he generally does not schedule any appointments past 5:30 PM. Mr. Cuomo stated that he does not see any clients on the weekend but will occasionally do legal work on the weekend.

Mrs. Cuomo testified concerning the substantial improvements they have made to the property. She testified that most, if not all, of the improvements were done by themselves. She further testified concerning the existing sign which is located in the front yard. Mrs. Cuomo testified that she designed the sign and that she regularly maintains the landscaping around the sign to keep it attractive. All of those present were pleased with the appearance of the property and agreed that it is well-maintained and beautifully landscaped. Because the size of the sign ex-

ORDER RECEIVED FOR FILING
Date 12/16/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/16/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/16/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/16/93
By [Signature]

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: January 28, 1994

FROM: Kathleen C. Weidenhammer
County Board of Appeals

SUBJECT: Closed File: Case No. 93-333-SPHXA
Dennis E. Cuomo, et ux

As no appeals have been taken regarding the subject case, we are closing the file and returning same to you herewith.

Attachment



June 29, 1994

Baltimore County Government
Zoning Administration and
Development Management
Mr. Timothy M. Kotroco, Esquire,
Deputy Zoning Commissioner
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. Kotroco;

Re: 512A & 516 Earl's Road, Case No. 93-333-SPHXA.

Pursuant to the above referenced zoning order we are submitting the schematic landscape plan which shows trees to be saved; stamped and signed by Mr. Avery Harden.

Also be advised that the 758 foot private driveway has been bituminous concrete paved and speed bumps installed per the zoning order.

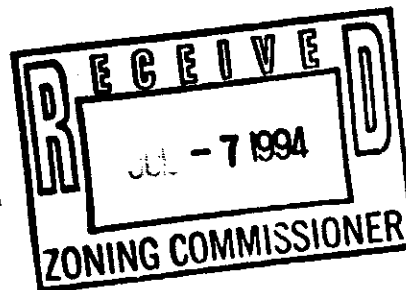
All storage trailers have been removal from the site per the zoning order.

The recommendations submitted by DEPRM as set forth in the letter dated April 23, 1993 from J. Lawrence Pilson have been complied with.

Sincerely Yours,
RAFITIS & ASSOCIATES INC.,

Clyde F. Rafitis
Vice President

cc: Mr. Lea Pittler
Mr. Jack Farley



Civil Engineers / Land Planners / Surveyors - 1249 Englebert Road / Baltimore, Maryland 21221 / 410-391-2336

JOHN E. CUOMO, III
ATTORNEY AT LAW
BALTIMORE, MARYLAND
WASHINGTON, D.C.

Office of Planning
Board of Zoning
Courthouse
Towson, MD 21204
Attn: Timothy
Zoning

Re: 1018 Dulany Valley Road
Dear Deputy Commissioner Kotroco:

I enclose herewith information concerning a prospective tenant with regard to the second floor location at my office at 1018 Dulany Valley Road.

Your file will reflect the requirement that I have approval from the Board in order for me to have a tenant occupy this location.

You will note that the individuals involved are licensed massage therapists.

The representation that has been made to me would indicate that there would not be more than two or three clients utilizing the facility at any given time.

If you need any additional information, please do not hesitate to contact me.

If this tenant is acceptable to the Board, I would appreciate a written verification at your earliest convenience so that I might attempt to negotiate a lease.

I thank you for your kind attention and response.

Very truly yours,

Dennis E. Cuomo /bc
Dennis E. Cuomo

DEC/bc
Enclosure

DENNIS E. CUOMO

ADMITTED
MARYLAND
WASHINGTON, D.C.

ATTORNEY AT LAW
323-228 S. CONKLING STREET
BALTIMORE, MARYLAND 21224
TELEPHONE (410) 678-7900
FAX (410) 678-1840

TOWSON
1018 DULANEY VALLEY ROAD
TOWSON, MARYLAND 21204
TELEPHONE (410) 678-7900
FAX (410) 678-1840

July 20, 1993

Baltimore County Government
Zoning Commissioner
Office of Planning & Zoning
Suite 113, Courthouse
400 Washington Avenue
Towson, Maryland 21204
Attn: Appeal Section

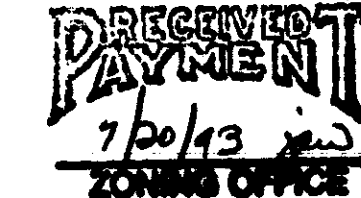
Re: Petition for Variance
1018 Dulany Valley Road
Case no.: 93-333-SPHXA

Dear Sir/ma:

Pursuant to the instructions given to me on the telephone today, please enter an Appeal on the portion of the Decision of Deputy Zoning Commissioner Kotroco dealing with the allowance of illumination on my sign at the subject location.

I enclose herewith my check in the amount of \$210.00 pursuant to the directions given to me.

I thank you for your kind attention.



DEC/dms
Enclosure

Very truly yours,
Dennis E. Cuomo

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1994 Legislative Day No. 16

Bill No. 149-94

Mr. William A. Howard, IV, Councilman

By Request of County Executive

By the County Council, September 7, 1994

A BILL

ENTITLED

AN ORDINANCE concerning

Massage Establishments - Licensure and Operation

FOR the purpose of requiring a license certain licenses for the

ownership or operation of certain massage establishments and the administration of massages for monetary consideration; establishing procedures for the grant, denial, suspension, and revocation of licenses; establishing requirements for the operation of massage establishments; prohibiting certain acts; providing for enforcement; establishing penalties; and generally relating to the licensing and operation of massage establishments and massage technicians.

BY adding

Sections 20-50 through 20-71 20-70

Article III. Massage Establishments

Title 20 "Miscellaneous Provisions and Offenses"

Baltimore County Code, 1988

1. SECTION 1. Be it enacted by the County Council of Baltimore County,

2. Maryland, that Sections 20-50 through 20-71 20-70, Article III.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
Strike-out indicates matter stricken from bill.
Underlining indicates amendments to bill.

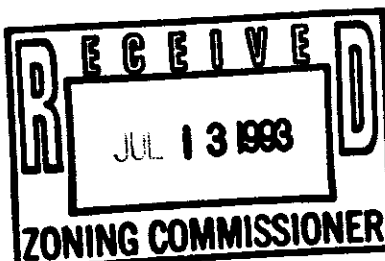
DENNIS E. CUOMO

ADMITTED
MARYLAND
WASHINGTON, D.C.

ATTORNEY AT LAW
323-228 S. CONKLING STREET
BALTIMORE, MARYLAND 21224
TELEPHONE (410) 678-7900
FAX (410) 678-1840

TOWSON
1018 DULANEY VALLEY ROAD
TOWSON, MARYLAND 21204
TELEPHONE (410) 678-7900
FAX (410) 678-1840

July 9, 1993



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204
Attn: Honorable Timothy M. Kotroco

Re: 1018 Dulany Valley Road
Case no.: 93-333-SPHXA

Dear Deputy Zoning Commissioner Kotroco:

I am in receipt of your decision dated June 21, 1993.

I attempted to respond to this earlier, however, the letter which I dictated was lost in the computer and I was on vacation.

In any event, I would informally ask that you reconsider one minor area of your decision with respect to the allowance of illumination on my office sign.

I am presently attempting to have an electrician come out to the premises to disconnect the lights as per your order pending any reconsideration you may allow pursuant to this letter.

However, I have had some difficulty because of the time of the year in having my electrician present himself to make the changes necessary to take the automatic lighting off.

I am requesting that you consider allowing me a limited amount of night time lighting on the sign.

This is particularly important to me during the winter months when day light savings time is not in effect.

I would suggest that I be allowed to put a much more guarded and smaller wattage illumination on the signage than I presently am using.

DENNIS E. CUOMO

ADMITTED
MARYLAND
WASHINGTON, D.C.

ATTORNEY AT LAW
323-228 S. CONKLING STREET
BALTIMORE, MARYLAND 21224
TELEPHONE (410) 678-7900
FAX (410) 678-1840

TOWSON
1018 DULANEY VALLEY ROAD
TOWSON, MARYLAND 21204
TELEPHONE (410) 678-7900
FAX (410) 678-1840

September 27, 1993

County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204
Attn: William T. Hackett, Chairman of the Board

RE: DENNIS E. CUOMO, ET UX
Case No.: 93-333-SPHXA

Dear Mr. Hackett:

I am respectfully requesting a postponement on the above-captioned case as I am currently scheduled to appear at the Circuit Court for Worcester County (Snowhill, Maryland) in the Matter of D. Becker which is an agreed date.

Further, I would respectfully request that this matter be rescheduled as soon as possible. I have December 10, and 14th, available with my schedule.

I would appreciate your secretary contacting my office and speaking with Dawn, to verify if the above request has been granted and, to get an agreed date if the aforementioned dates are not available.

Your kind consideration to this matter is greatly appreciated.
Thank you.

Very truly yours,
Dennis E. Cuomo

DEC/dms
Enclosure
Certified

12/09/93 is open date



1021 Dulaney Valley Road
Baltimore, Maryland 21204-2794
(410) 337-4000

July 18, 1993

Honorable Timothy M. Kotroco
Baltimore County Government
Zoning Commission
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: 1018 DULANEY VALLEY ROAD - CASE # 93-333-SPHXA

Dear Sir:

I am in receipt of the memo sent to you by Dennis E. Cuomo requesting special consideration and adjustment to the opinion you entered regarding the subject case. As you will recall, during the hearing the point was made several times that one of our major concerns was the continued pattern of violating the restrictions on the property and then asking the approval of the county after the fact. This is true of the sign and of the most recent request.

Mr. Cuomo knowingly violated the restrictions on the sign, requested and received relief and now wishes to modify the decision related to the lighting of the sign. It is interesting to note that the testimony reflects nothing related to a need for lights. We do not understand the need for lights, particularly since his business hours are from 9:00 a.m. to 5:30 p.m., Monday through Friday. It is also a concern that his location is immediately adjacent to residential property and extended lighting is inconsistent with a residential environment.

It was quite evident at the hearing that Mr. Cuomo did not wish to be held hostage to the memory of Dr. Spodak. The issue with Dr. Spodak was his continued efforts to make inappropriate exceptions to his zoning restrictions. For Mr. Cuomo to plead relief because of issues related to Dr. Spodak and then immediately request relief from this ruling clearly displays similar motivations, and is inconsistent with his original argument.



811 LOCUSTVALE ROAD, TOWSON, MARYLAND 21204-2794
TELEPHONE (410) 336-7400

September 28, 1993

Kathleen C. Weidenhammer
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case No 93-333-SPHXA: DENNIS E. CUOMO, ET UX
(1018 Dulaney Valley Road)
Hearing: Wednesday, December 8, 1993 at 10:00 a.m.

Dear Ms. Weidenhammer:

We wish to enter into the record of the above matter our objection to any relief being granted as to the ruling issued by Mr. Kotroco on June 21, 1993 and appealed by Mr. Cuomo on July 20, 1993.

A review of the transcript will reveal that this is property with an ongoing history of zoning violations which the owner then appeals, in an effort to bring the law into compliance with personal goals rather than the owner acting in accord with existing law and within established, publicly determined, principles. Although Mr. Cuomo purchased most of this history rather than creating it, unfortunately in this instance, he is carrying the tradition forward.

We appreciate the Cuomos' hard work fixing up the property. It's very attractive. However, we believe that, as found in the original decision, there is no need for the lights for a business operating during the day adjacent to the residential area.

DULANEY TOWERS MAINTENANCE CORPORATION

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

NAME

NAME

* Kathleen Spodak CEO, Dulaney Towers Main Corp. 911 Lombard Rd. 21204
* Harold W. Tanner DR. AM. PLANT GARDEN 1001 Dulaney Valley Rd. 21204
* JOSEPH WATZ, TOWSON PARK COMMUNITY CORP. 911 RADCLIFFE RD. TOWSON, MD 21204
GEORGE FOREMAN, MANTENANCE CORP. 911 RADCLIFFE RD. TOWSON, MD 21204
William Pugh 1001 Dulaney Valley Rd. Towson, MD 21204
JAMES E. KNEIP 908 LAMBERT RD. Towson, MD 21204
EDWARD SCHULTZ GARDEN COLLEGE 1001 Dulaney Valley Rd. 21204

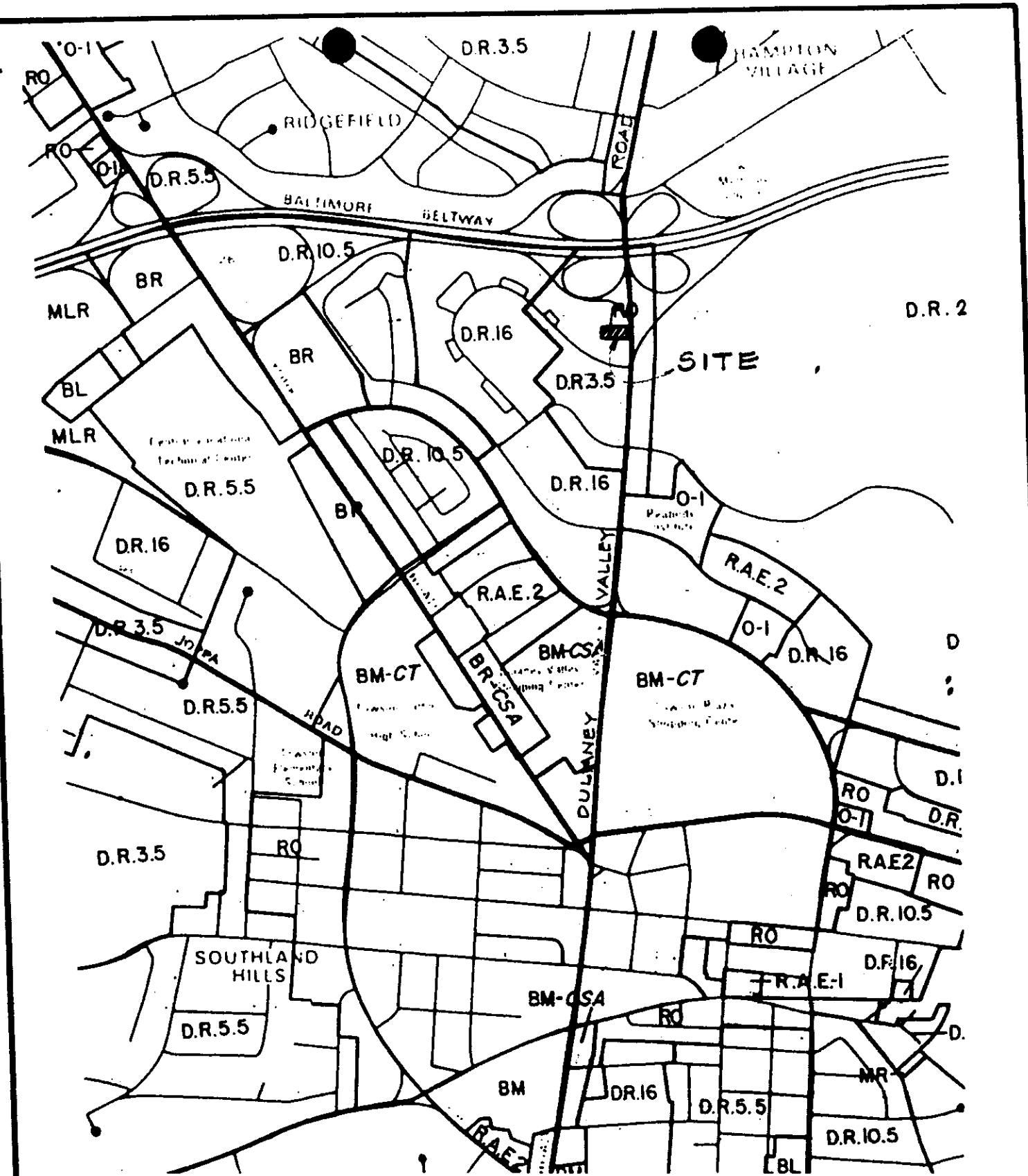
PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

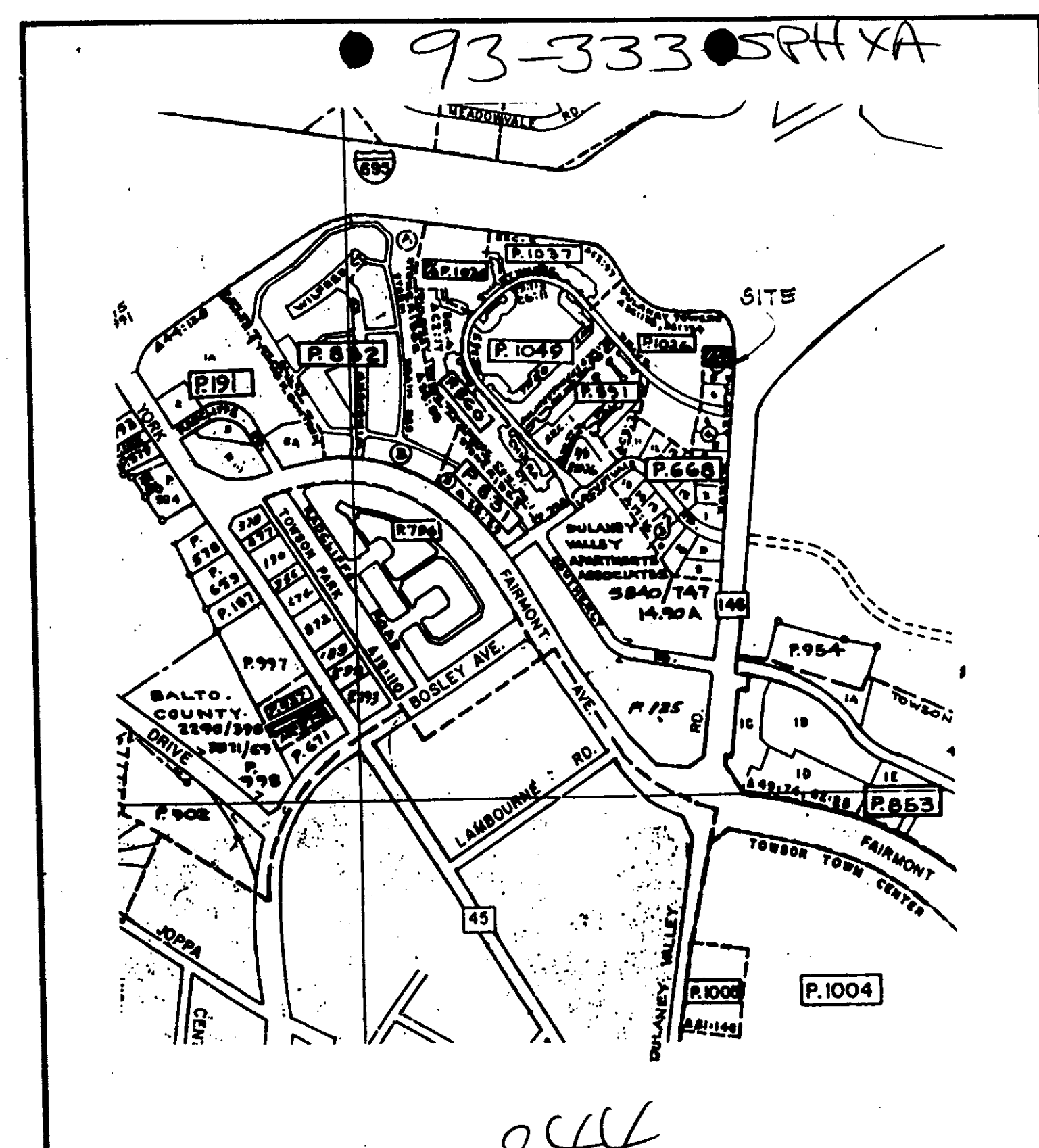
NAME

Dennis E. Cuomo 1018 Dulaney Valley Rd.
JoAnn M. Cuomo



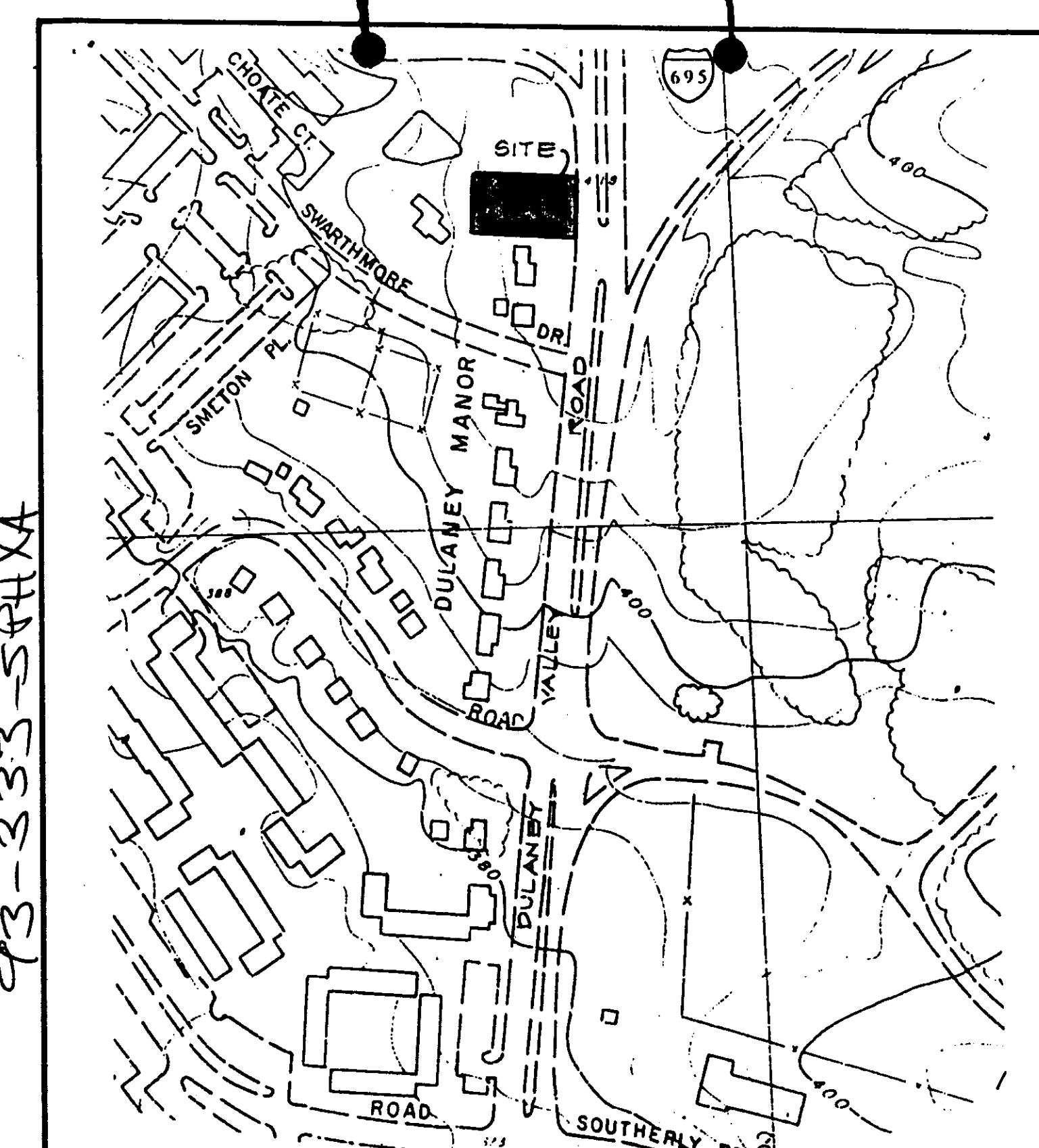
PC Ltd.
Patton Consultants, Ltd.
305 W. CHESAPEAKE AVE., SUITE 305
TOWSON, MARYLAND 21204
(410) 336-3140 FAX: (410) 336-0419
SITE PLANNERS - ENGINEERS
LAND DEVELOPMENT CONSULTANTS

93-333-SPHXA
ZONING MAP E-3
CUOMO PROPERTY
#1014 - #1016 DULANEY VALLEY ROAD
DATE: 10/1/91
DRAWN: JDC CHECKED: JAW RMP 9/12 SCALE: 1"=100' NIT 114



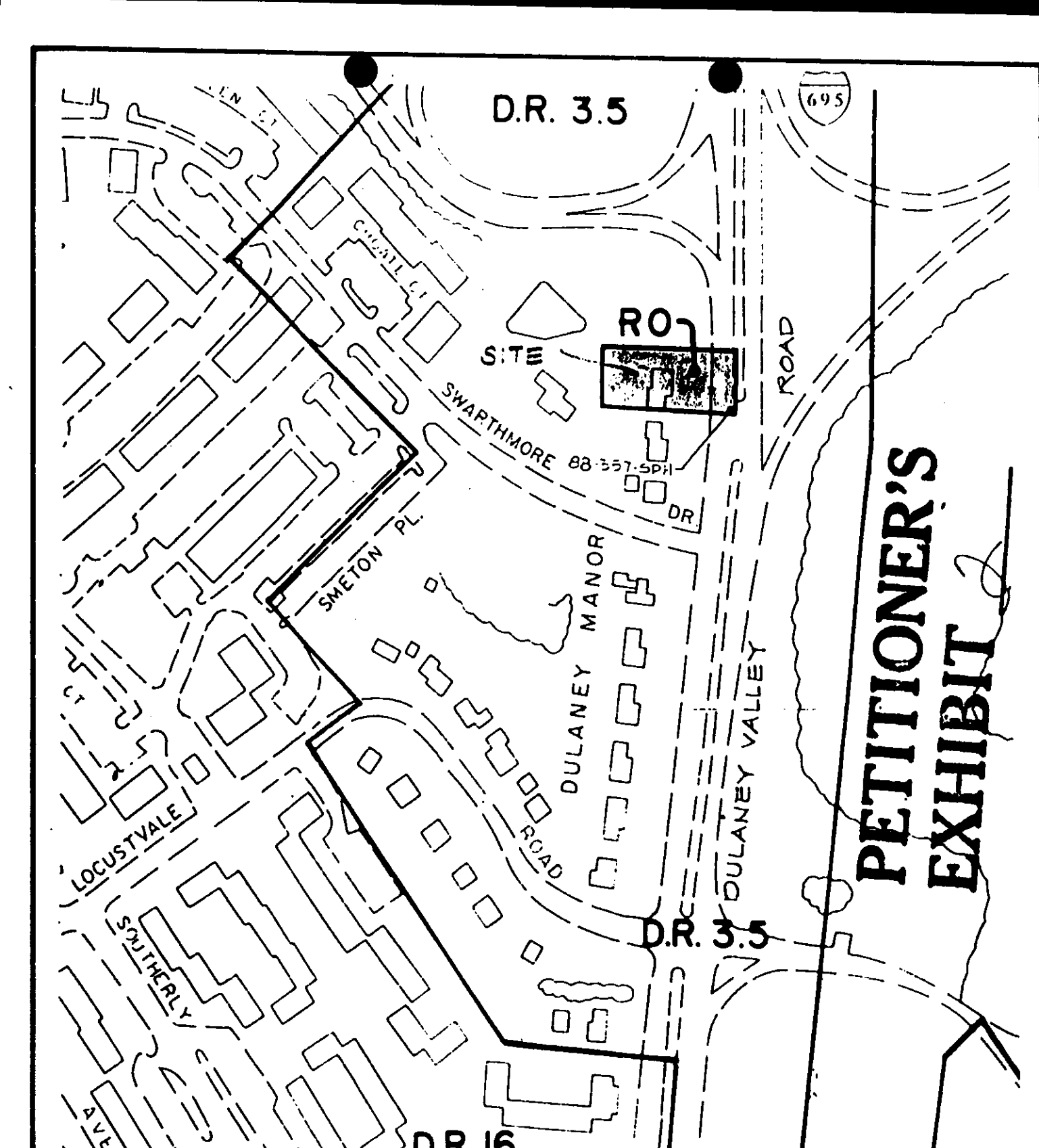
PC Ltd.
Patton Consultants, Ltd.
305 W. CHESAPEAKE AVE., SUITE 305
TOWSON, MARYLAND 21204
(410) 336-3140 FAX: (410) 336-0419
SITE PLANNERS - ENGINEERS
LAND DEVELOPMENT CONSULTANTS

93-333-SPHXA
TAX MAP 70
CUOMO PROPERTY
#1018 DULANEY VALLEY ROAD
DATE: 10/1/91
DRAWN: JDC CHECKED: JAW RMP 9/12 SCALE: 1"=100' NIT 114



PC Ltd.
Patton Consultants, Ltd.
305 W. CHESAPEAKE AVE., SUITE 305
TOWSON, MARYLAND 21204
(410) 336-3140 FAX: (410) 336-0419
SITE PLANNERS - ENGINEERS
LAND DEVELOPMENT CONSULTANTS

93-333-SPHXA
MAP NE-11A
PHOTOGRAMMETRIC MAP
CUOMO PROPERTY
#1018 DULANEY VALLEY ROAD
DATE: 10/1/91
DRAWN: JDC CHECKED: JAW RMP 9/12 SCALE: 1"=100' NIT 114



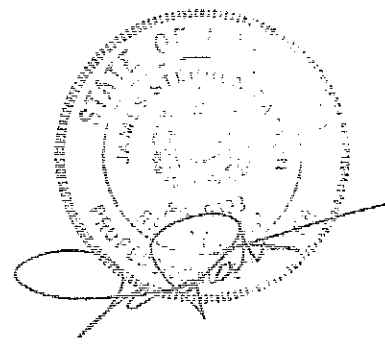
PC Ltd.
Patton Consultants, Ltd.
305 W. CHESAPEAKE AVE., SUITE 305
TOWSON, MARYLAND 21204
(410) 336-3140 FAX: (410) 336-0419
SITE PLANNERS - ENGINEERS
LAND DEVELOPMENT CONSULTANTS

PETITIONER'S EXHIBIT
ZONING MAP
CUOMO PROPERTY
#1018 DULANEY VALLEY ROAD
DATE: 10/1/91
DRAWN: JDC CHECKED: JAW RMP 9/12 SCALE: 1"=100' NIT 114

305 West Chesapeake Avenue • Suite 118 • Towson, MD 21204
(410) 296-2140 • FAX (410) 296-0119

Beginning at a point on the west side of Dulaney Valley Road which varies in width from 74.0 ft. to 80.0 ft. wide at the distance of 192.6 ft. north of the centerline of the nearest improved intersecting street, Swarthmore Drive, which is fifty (50) feet wide. Thence, the following courses and distances:

To the place of beginning as recorded in Deed Liber 6678, Folio 0055. Being Lot #1018, Block 4, Section #1 of Dulany Manor as recorded in Baltimore County Platbook #1506, Folio #350, subject to State Roads Commission Plans 16044 & 10503, containing 10,454¹ sq. ft., (0.24¹ acres). Also known as 1018 Dulany Valley Road and located in the 9th Election District.

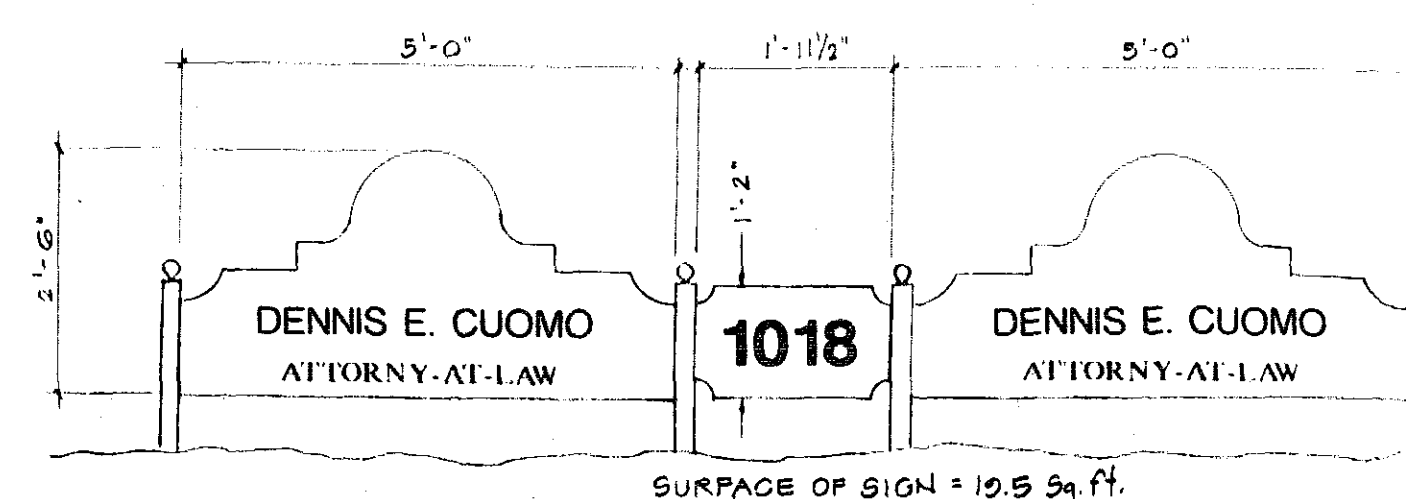
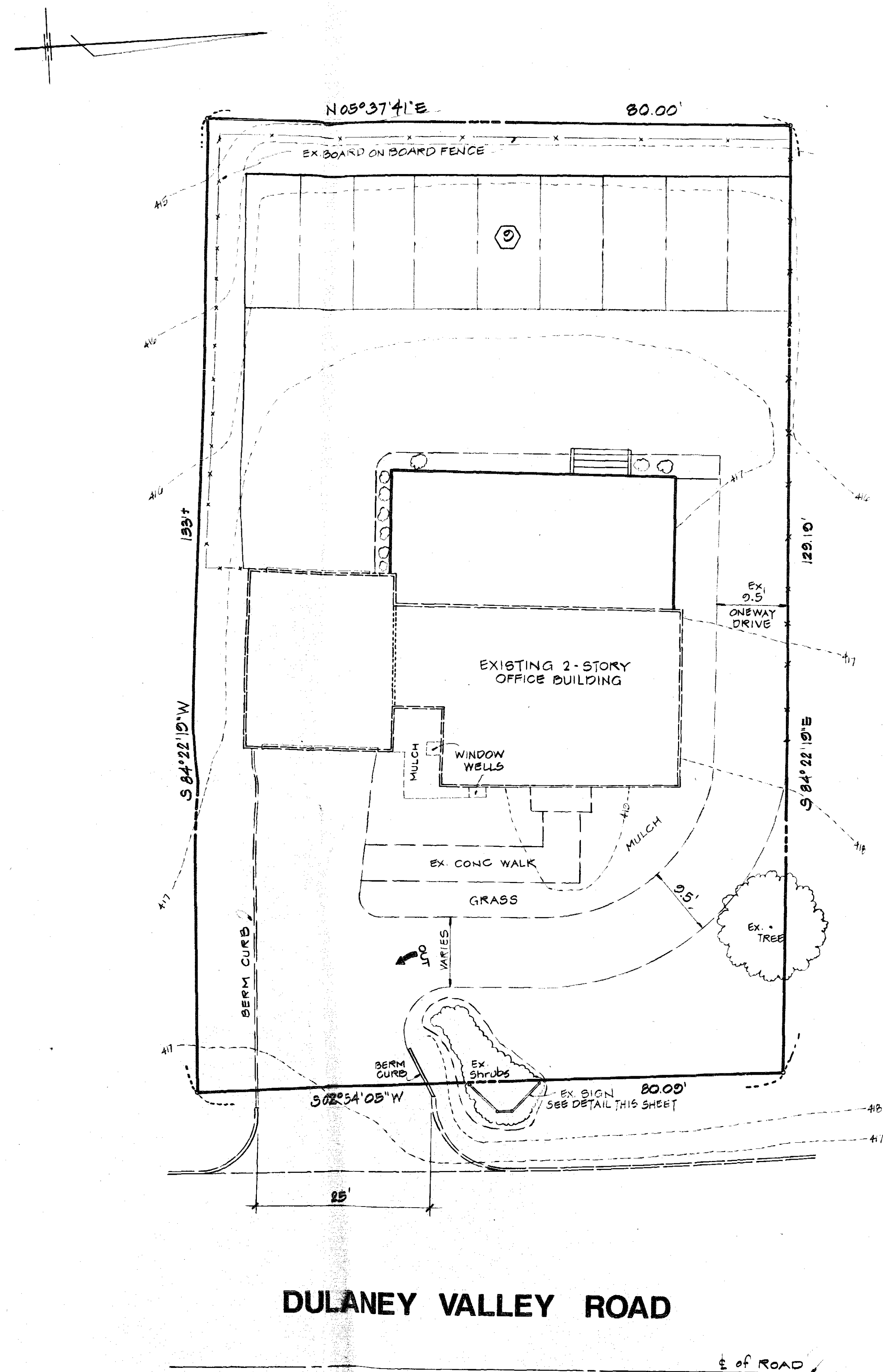
PETITIONER'S
EXHIBIT 3

Site Planners and Engineers
Site Evaluation • Land Development Consulting • Expert Testimony • Zoning

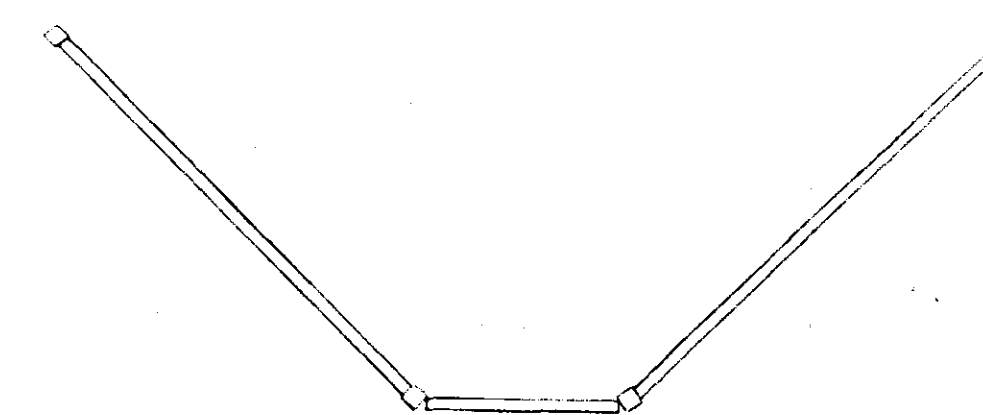


EXHIBIT
PETITIONER'S

Case # 86-173-X



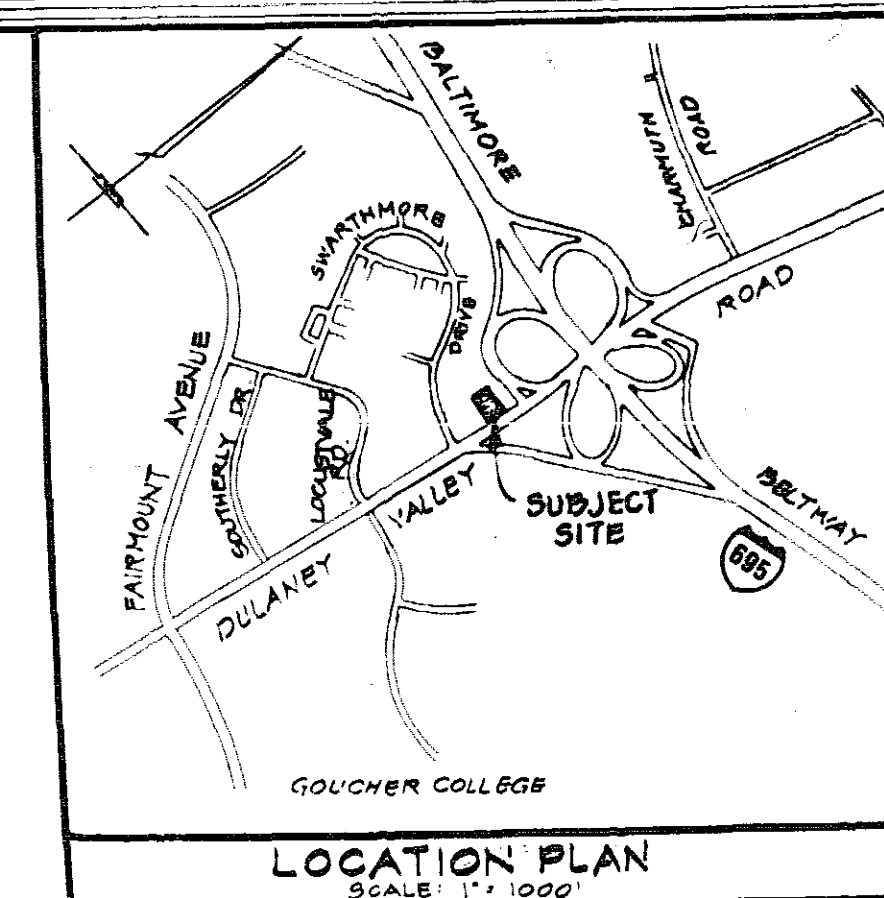
ELEVATION
Scale: 1"=2.0'



PLAN
Scale: 1"=2.0'

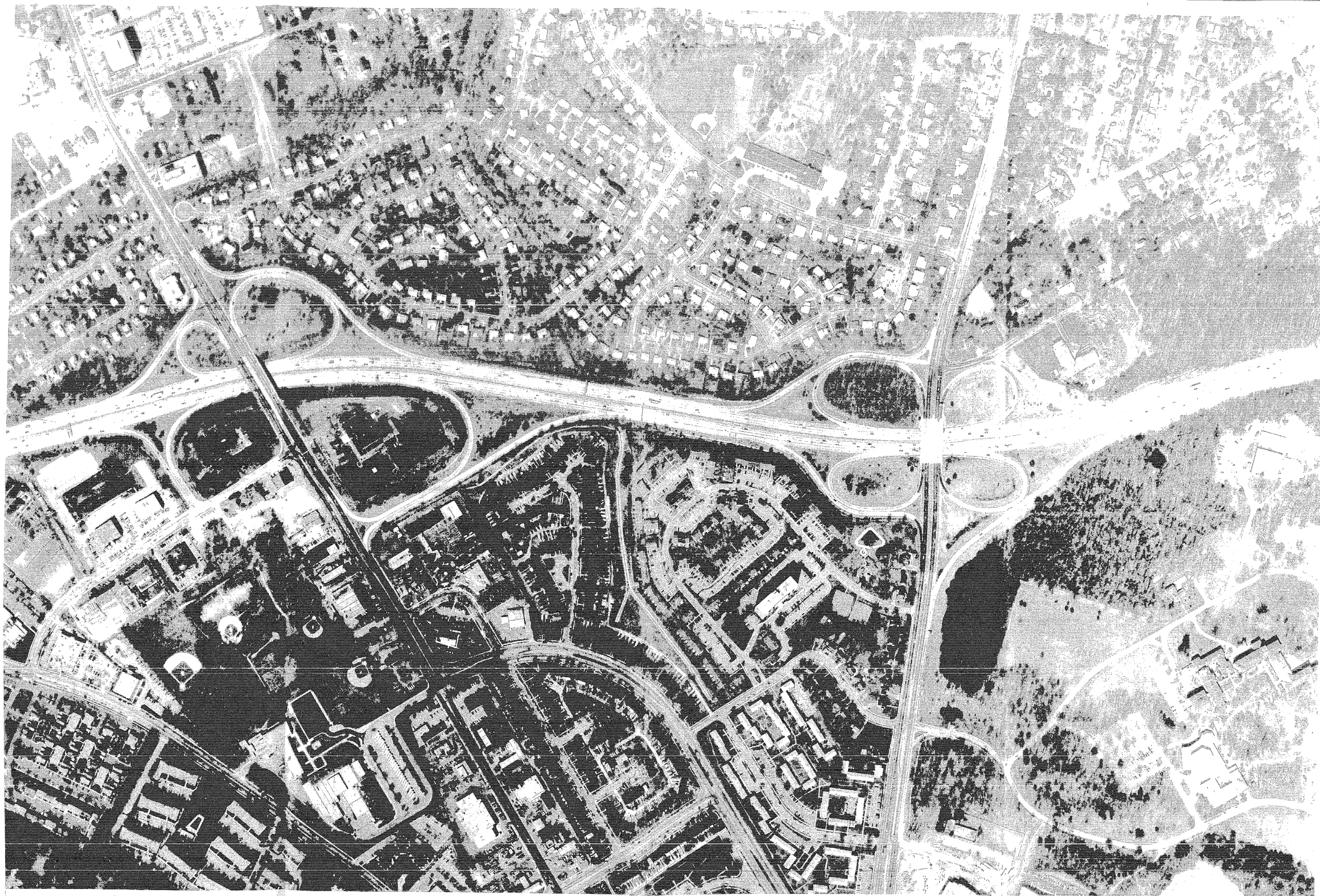
SIGN DETAIL

PETITIONER'S
EXHIBIT 1



APPROVALS		<p>P_C Ltd. Patton Consultants, Ltd. 305 W. CHESAPEAKE AVE., SUITE 305 TOWSON, MARYLAND 21204 (301) 296-2140 FAX: (301) 296-0419</p> <p>SITE PLANNERS • ENGINEERS LAND DEVELOPMENT CONSULTANTS</p>
<p>PLAT TO ACCOMPANY VARIANCE PETITION</p> <p>DENNIS CUOMO PROPERTY 1018 DULANEY VALLEY ROAD</p> <p>BALTIMORE COUNTY MARYLAND</p>		<p>SCALE 1"=10'</p> <p>PROJ. NO. 9120</p> <p>NORTH SHEET NO.</p>
ELECTION DIST. 9th	CENSUS TRACT 490301	COUNCILMANIC 4
DRAWN	CHECKED USP	DATE 1/14/93

1 of 1



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PETITIONER'S
EXHIBIT 5

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

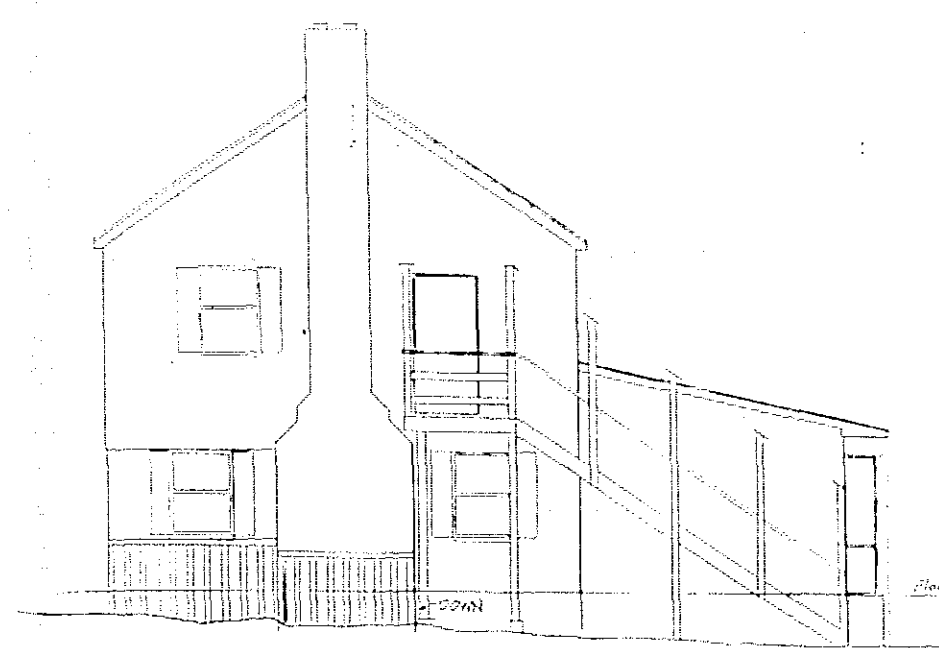
LOCATION

TOWSON

SHEET

N.E.
11-A

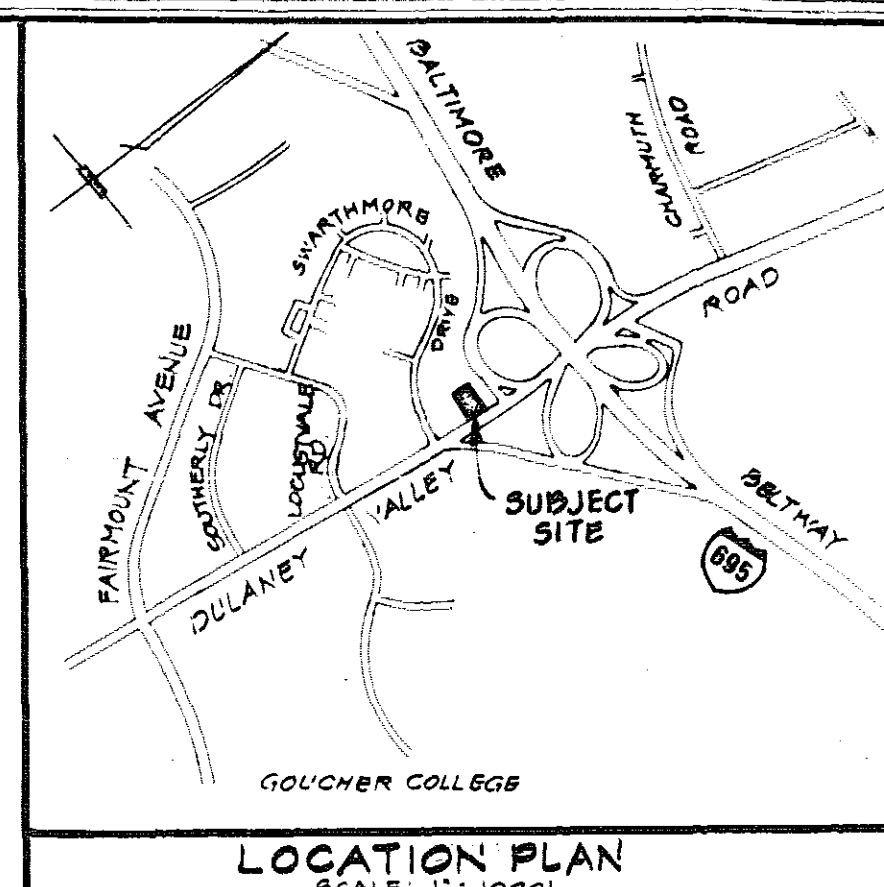
DULANEY TOWERS
E.H.K. JR. Δ 36/134
SECTION 'A' LOCAL OPEN SPACE
ZONED: D.R. 3.5
USE: SWIMMING POOL / OPEN SPACE



SIDE ELEVATION
Scale: N.T.S.



REAR ELEVATION
Scale: N.T.S.



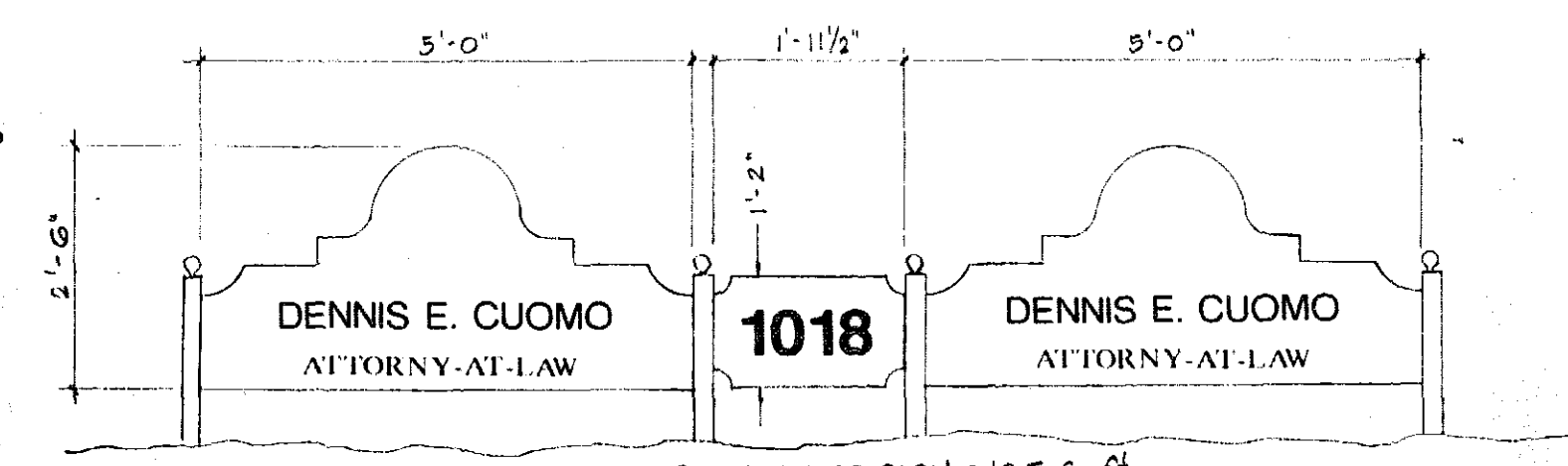
LOCATION PLAN
Scale: 1" = 100'

NOTES - UNCHANGED FROM 17 APRIL 1985 CRG AS AMENDED

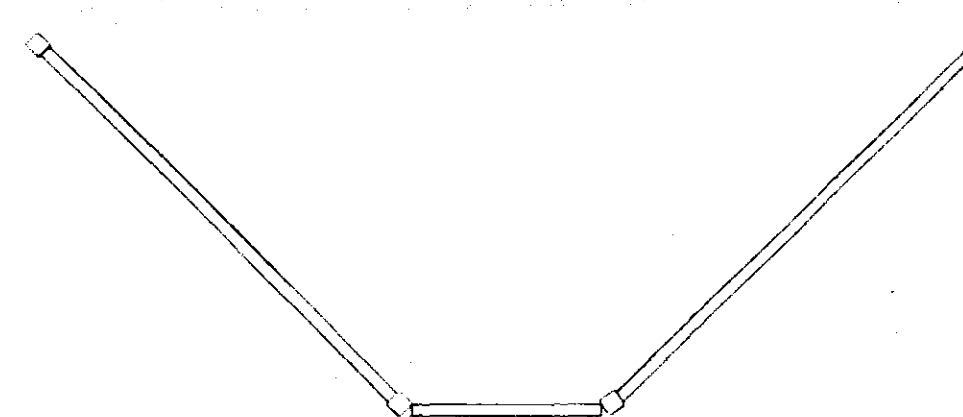
LANDSCAPE PLANTING DATA
PLANTING - 150 LF OF ROAD @ 1 TREE/40 LF = 4 TREES
REQUIRED: + 7 PARKING SPACES @ 1 TREE/12 SPACES = 1 TREE
5 TREES
- CREDIT FOR 2 TREES WITHIN LIMITS OF CLEARING = 2 TREES
MINIMUM NUMBER OF TREES REQUIRED = 3 TREES
A MIN. OF 3 REQUIRED TREES SHALL BE MAJOR DECIDUOUS TREES
4' WIDE SCREEN PLANTING SHALL BE PROVIDED ALONG PROPERTY LINES

GENERAL NOTES
1. BENCH MARK: BALTIMORE COUNTY BENCH MARK X-4104, ELEVATION 415.31
2. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, WETLANDS, ENDANGERED SPECIES HABITAT, HAZARDOUS MATERIALS SITES, OR HISTORICAL BUILDINGS WITHIN THE PROPERTY LIMITS SHOWN ON THIS DRAWING.
3. ALL DISTURBED AREAS WHICH ARE NOT PAVED OR PLANTED IN ACCORDANCE WITH THE PLANTING PLAN SHALL BE SEEDED AND MULCHED.
4. ON SITE CURB SHALL BE BITUMINOUS CURB SIMILAR TO BALTO. COUNTY STD. D-20. CURB IN THE STREET ROW SHALL BE COMBINATION CONCRETE CURB AND GUTTER IN ACCORDANCE WITH BALTO. COUNTY STD. D-21.
5. WAIVER OF SIDEWALK REQUIREMENT ALONG DULANEY VALLEY ROAD WILL BE REQUESTED.
6. PROPOSED ADDITIONAL IMPERVIOUS AREA: 2800 SF
7. NO ADDITIONAL OUTDOOR LIGHTING IS PROPOSED, SIZE AND LOCATION OF SIGN IS UNDETERMINED BUT SHALL BE A MAXIMUM OF 8 SF.

DULANEY TOWERS
E.H.K. JR. Δ 36/134
SECTION 'A'
USE: OPEN SPACE
ZONED: D.R. 3.5



ELEVATION
Scale: 1" = 2.0'



PLAN
Scale: 1" = 2.0'

SIGN DETAIL

PREVIOUS PERMITS

1244-85
1536-85
767-85

C.R.G. FILE

IX-453

GENERAL NOTES

- OWNERS: DENNIS & JOANN CUOMO
1806 BLAKEFIELD COURT
LUTHERVILLE, MD 21093
- NET SITE AREA: 0.24 ACRE GROSS SITE AREA: 0.31 ACRE
- DEED REFERENCE: 6678/0065
- TAX ACCOUNT: 09-12590390
- ZONING: R-O
- ELECTION DISTRICT: 9TH
- COUNCILMANIC DISTRICT: 4TH
- CENSUS TRACT: 4903.01
- WATERSHED: 10
- SUB WATERSHED: 29
- AVERAGE DAILY TRIPS (ADT): 66.7 TRIPS PER DAY
- PROPOSED CLASS "B" OFFICE BUILDING AS PROVIDED BY BCZR SECTION 203.382b WITH NOT MORE THAN 45% MEDICAL OFFICES.
HOURS OF OPERATION: 8:00 AM TO 5:00 PM.
MAXIMUM EMPLOYEES: 8.
- PROPERTY SERVED BY MTA BUS ROUTES 8 AND 8E. (BASIS FOR 5% PARKING ADJUSTMENT.)
- USE: CLASS "B" OFFICE/MEDICAL
- SQUARE FOOTAGE: BASEMENT - MEDICAL - 416.5 S.F.
1ST FLOOR - OFFICE - 1490.4 S.F.
2ND FLOOR - MEDICAL - 2760.9 S.F.
2,667.8 S.F.

SPECIAL HEARING REQUESTED

1. Amendment to the Special Exception granted by Case #86-173-X which stipulated certain conditions as related to the conversion of a Class "A" to a Class "B" office building in a R-O zone with certain conditions and further to revamp issued by Case #86-357-SIM, or in the alternative, to a Special Exception for a Class "B" office building with medical offices exceeding 25% which was requested prior to the effective date of Ord. 27-1986 in the R-O zone as shown on petitioner's exhibit. Further, to determine the status of the CRG Plan for this parcel as it relates to this parcel and its present use and previous orders by the Commissioner.

VARIANCE(S) REQUESTED

BCZR SEC. 203.1(c)
To permit the sign as shown on the plan which has a total face area of 19.5 sq. ft. in lieu of a double faced sign which would permit 15 sq. ft. each side (total 30 sq. ft.).

BCZR SEC. 203.1(c)
To permit 8 parking spaces in lieu of the required 10 parking spaces.

OPEN SPACE DATA: AMENITY OPEN SPACE (AOS)

AOS REQUIRED: 25% MIN.
AOS PROVIDED: 10,488 SF NET SITE
- 6,488 SF BLDG & PAVG.
4,000 SF OPEN SPACE

AOS RATIO: 4,000/13,504 = 30%

PARKING DATA

PARKING REQUIRED: OFFICE - 1,490 SF @ 3.31/1,000 = 4.92
MED. OF. 1,177 SF @ 4.51/1,000 = 5.29

LESS 5% TRANSIT (51)
TOTAL 10 PKG:

PARKING PROVIDED: 9 PKG SP. VARIANCE REQUEST FOR 9
INCLUDES 1 HANDICAP SPACE

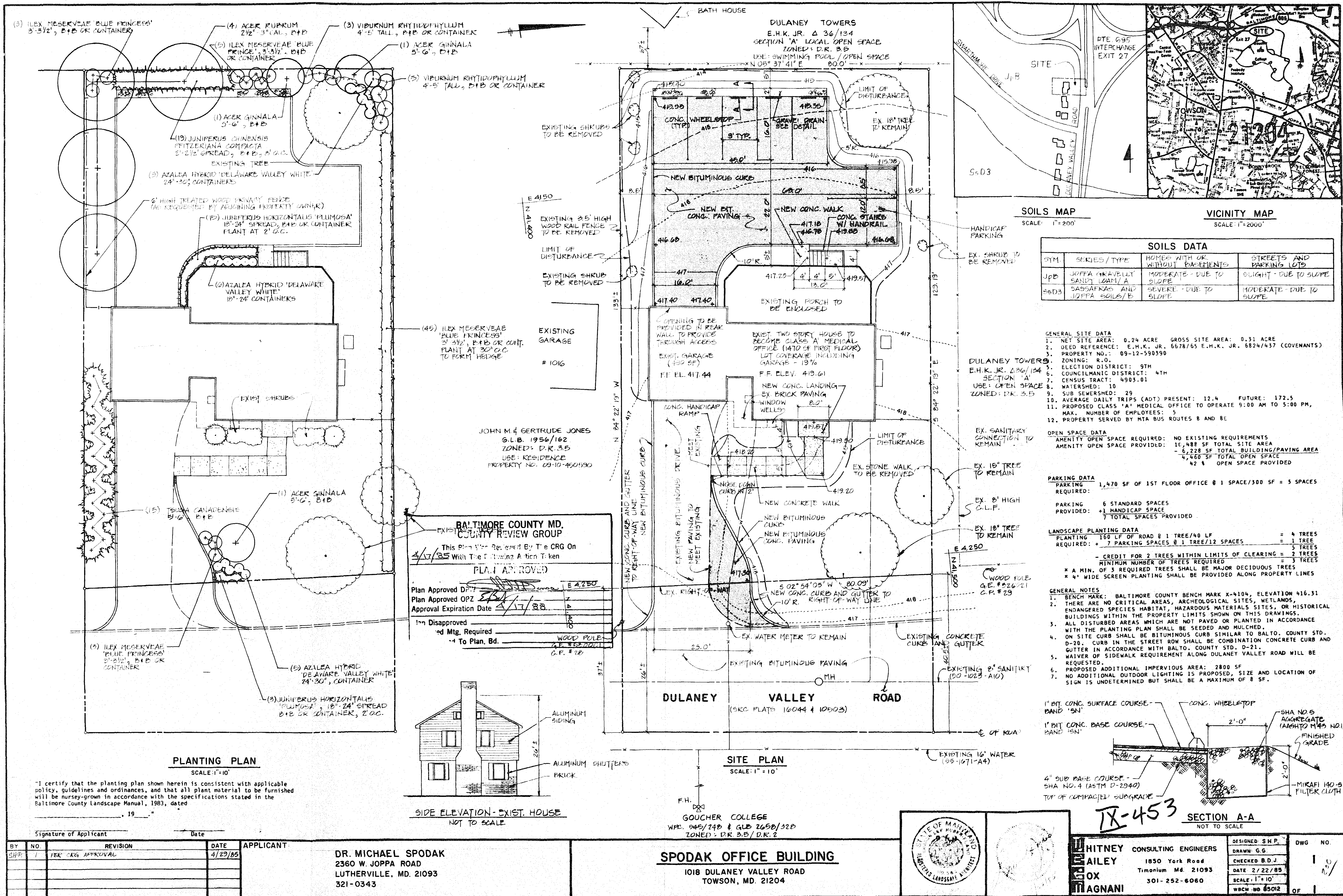
FLOOR AREA RATIO: 2,867 SF / 13,504 SF = .1975
PERMITTED (BCZR 203.382b) = .20

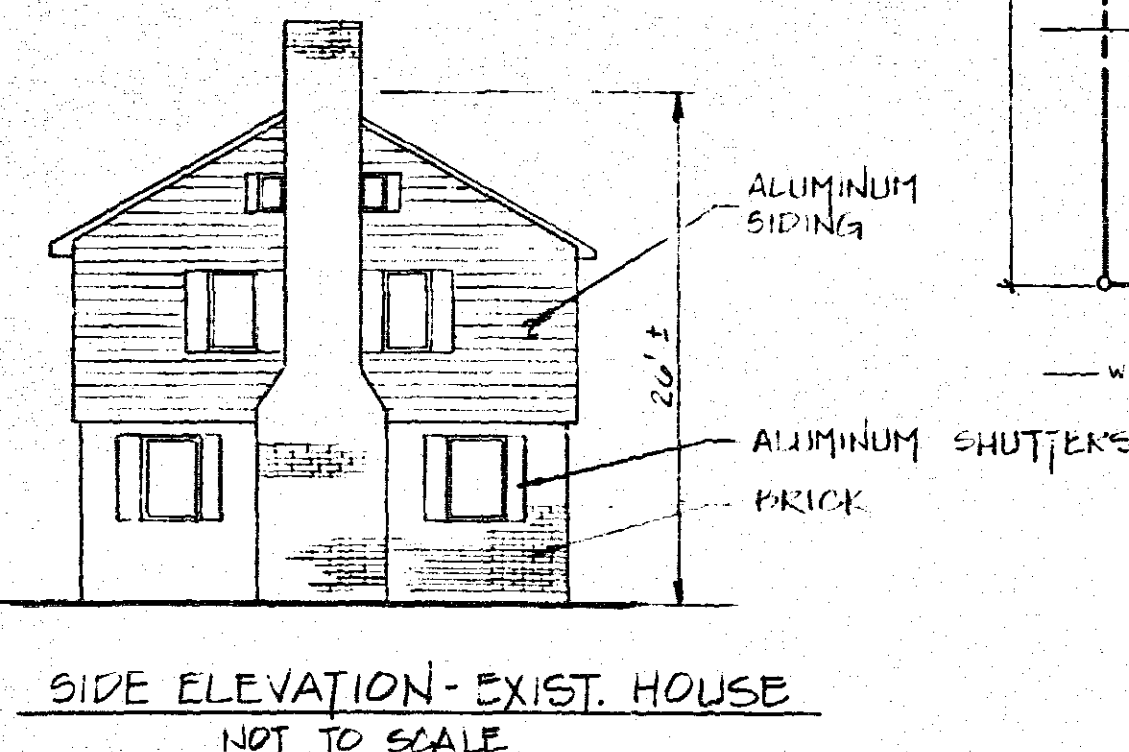
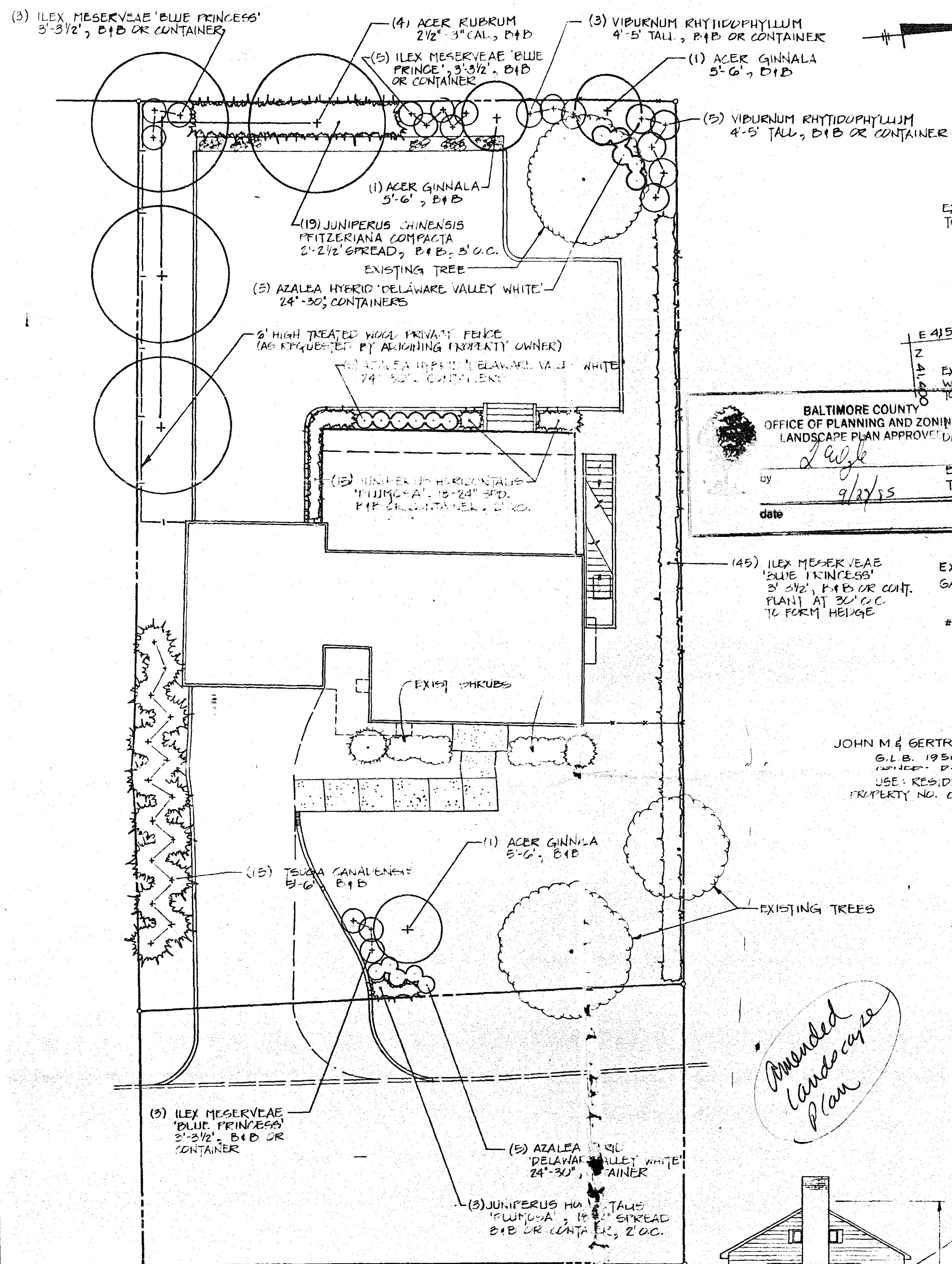
DULANEY VALLEY ROAD

SRC PLATS 16044 & 10503

EXISTING 16" WATER
53" / 167" - A4

APPROVALS		
PETITIONER'S EXHIBIT 6		
<p>Pc Ltd. Patton Consultants, Ltd. 305 W. CHESAPEAKE AVE., SUITE 305 TOWSON, MARYLAND 21204 (410) 296-2140 FAX: (410) 296-0419</p> <p>SITE PLANNERS • ENGINEERS LAND DEVELOPMENT CONSULTANTS</p>		
<p>PLAT TO ACCOMPANY VARIANCE PETITION & SPECIAL EXCEPTION SPECIAL HEARING/PETITION DENNIS CUOMO PROPERTY 1018 DULANEY VALLEY ROAD</p> <p>BALTIMORE COUNTY MARYLAND</p>		
ELECTION DIST. 9 th	CENSUS TRACT 4903.01	COUNCILMANIC 4
DRAWN	CHECKED USP	DATE 1/14/93
		1 OF 1

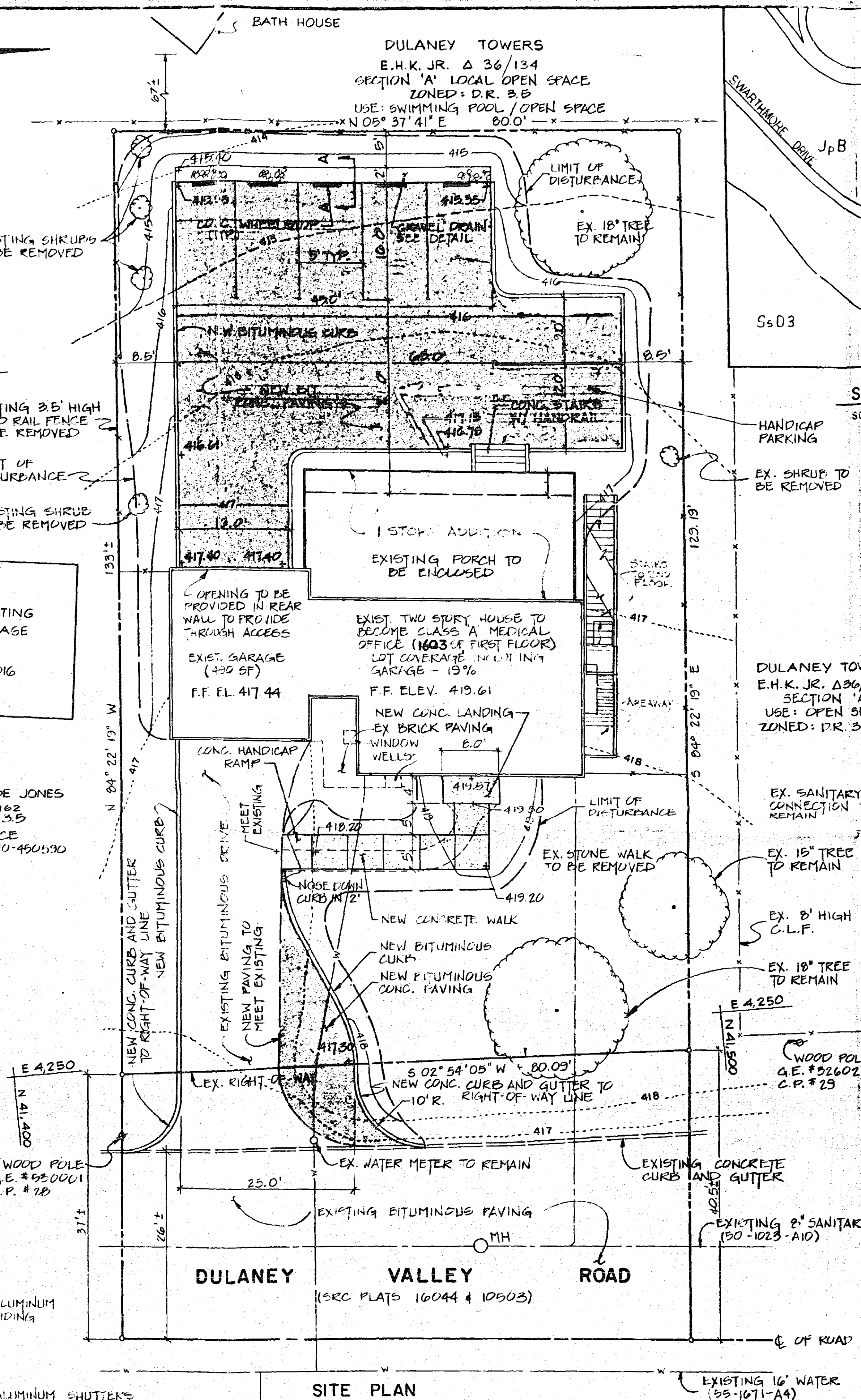




BY	NO.	REVISION	DATE	APPLICANT
SHF	1	PER CRG APPROVAL	1/29/85	
	2	FOR CLASS 'B' MEDICAL OFFICE	7/16/85	
	3	REFLECT FIELD COND. AND PLANTING	9/15/85	

D. MICHAEL SPODAK
230 W. JOPPA ROAD
LIVERVILLE, MD. 21093
30-0343

SPODAK OFFICE BUILDING
1018 DULANEY VALLEY ROAD
TOWSON, MD. 21204



SOILS MAP

SCALE: 1"=200'

SOILS DATA

SYM.	SERIES/TYPE	HOMES WITH OR WITHOUT BASEMENTS	STREETS AND PARKING LOTS
JpB	JOPPA GRAVELLY SANDY LOAM/A	MODERATE - DUE TO SLOPE	SLIGHT - DUE TO SLOPE
SsD3	SASSAFRAS AND JOPPA SOILS/B	SEVERE - DUE TO SLOPE	MODERATE - DUE TO SLOPE

GENERAL SITE DATA

- NET SITE AREA: 0.24 ACRE GROSS SITE AREA: 0.31 ACRE
- DEED REFERENCE: E.H.K. JR. 6678/65 E.H.K. JR. 6824/437 (COVENANTS)
- PROPERTY NO.: 09-12-590390
- ZONING: R.O.
- ELECTION DISTRICT: 9TH
- COUNCILMANIC DISTRICT: 4TH
- CENSUS TRACT: 4903.01
- WATERSHED: 10
- SUB WATERSHED: 29
- AVERAGE DAILY TRIPS (ADT) PRESENT: 12.4 FUTURE: 177.5
- PROPOSED CLASS 'B' MEDICAL OFFICE TO OPERATE 8:00 AM TO 5:00 PM
- MAX. NUMBER OF EMPLOYEES: 5
- PROPERTY SERVED BY MTA BUS ROUTES B AND BE

OPEN SPACE DATA

AMENITY OPEN SPACE REQUIRED: 25%
AMENITY OPEN SPACE PROVIDED: 10,488 SF NET SITE AREA
- 6,384 SF TOTAL BUILDING/PAVING AREA
- 4,094 SF TOTAL OPEN SPACE

AMENITY OPEN SPACE/GROSS SITE AREA: 4,094/13,504 = 30.3%

PARKING DATA

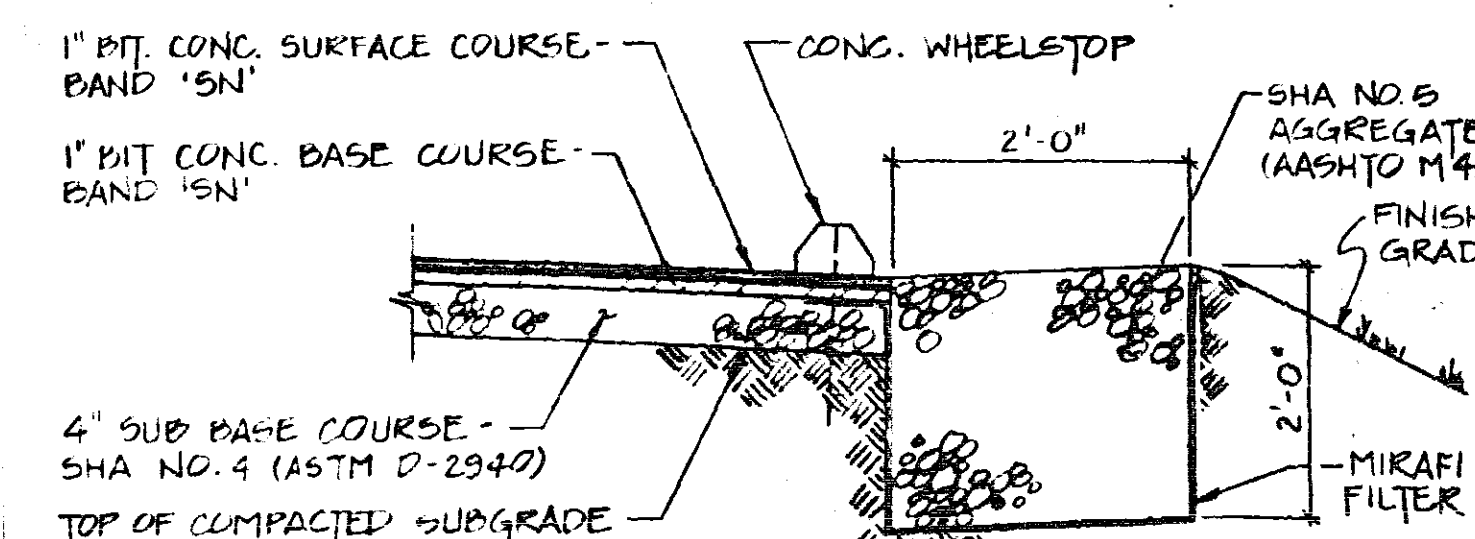
1,603 SF OF 1ST FLOOR OFFICE @ 1 SPACE/300 SF = 5.3 SPACES
REQUIRED: 5 STANDARD SPACES
PROVIDED: +1 HANDICAP SPACE
7 TOTAL SPACES PROVIDED

LANDSCAPE PLANTING DATA

PLANTING: 150 LF OF ROAD @ 1 TREE/40 LF = 4 TREES
REQUIRED: + 7 PARKING SPACES @ 1 TREE/12 SPACES = 1 TREE
- CREDIT FOR 2 TREES WITHIN LIMITS OF CLEARING = 2 TREES
MINIMUM NUMBER OF TREES REQUIRED = 3 TREES
* A MIN. OF 3 REQUIRED TREES SHALL BE MAJOR DECIDUOUS TREES
* 4' WIDE SCREEN PLANTING SHALL BE PROVIDED ALONG PROPERTY LINES

GENERAL NOTES

- BENCH MARK: BALTIMORE COUNTY BENCH MARK X-4104, ELEVATION 416.31
- THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, WETLANDS, ENDANGERED SPECIES HABITAT, HAZARDOUS MATERIALS SITES, OR HISTORICAL BUILDINGS WITHIN THE PROPERTY LIMITS SHOWN ON THIS DRAWING.
- ALL DISTURBED AREAS WHICH ARE NOT PAVED OR PLANTED IN ACCORDANCE WITH THE PLANTING PLAN SHALL BE SEEDED AND MULCHED.
- ON SITE CURB SHALL BE BITUMINOUS CURB SIMILAR TO BALTO. COUNTY STD. D-20. CURB IN THE STREET ROW SHALL BE COMBINATION CONCRETE CURB AND GUTTER IN ACCORDANCE WITH BALTO. COUNTY STD. D-21.
- WALKER OF SIDEWALK REQUIREMENT ALONG DULANEY VALLEY ROAD WILL BE REQUESTED.
- PROPOSED ADDITIONAL IMPERVIOUS AREA: 2800 SF
- NO ADDITIONAL OUTDOOR LIGHTING IS PROPOSED, SIZE AND LOCATION OF SIGN IS UNDETERMINED BUT SHALL BE A MAXIMUM OF 8 SF.
- FLOOR AREA RATIO ALLOWED: 0.50 PROVIDED: 4475/13504 = 0.33



REV. 7-26-85
REV. 7-26-85

WHITNEY CONSULTING ENGINEERS
1850 York Road
Timonium Md. 21093
301-252-6060

DESIGNED S.M.P.
DRAWN S.G.
CHECKED B.D.J.
DATE 2/22/86
SCALE: 1"=10'
WBCN NO 85012

DWG NO.
1
OF 1

ceeds that permitted by the regulations, the Petitioners have requested a variance to legalize same.

On the issue of the sign, the citizens who appeared at the hearing are opposed to the relief requested. They voiced opposition to the fact that the sign is illuminated in the evening hours, but agreed that the subject sign is attractive and approve of the plantings chosen to landscape the sign.

It was obvious to this Deputy Zoning Commissioner that the Petitioners spent a great deal of time, money and effort to develop an attractive sign. The sign is low to the ground, unobtrusive and is attractively landscaped. Given these factors, I will grant the variance requested for the sign; however, I do not feel that it is necessary for the sign to be illuminated. Therefore, the Petitioners shall be required to remove all lighting fixtures associated with the subject sign and all lighting shall be removed within ten (10) days of the date of this Order. At no time shall the sign be illuminated.

The remaining issues to be resolved by this Deputy Zoning Commissioner deal with those restrictions previously imposed upon the use of this property. Modifying or amending those restrictions is the last part of the special hearing request. The Petitioners are desirous of using this property in accordance with its zoning classification. It was obvious to this Deputy Zoning Commissioner, and was brought out at the hearing, that this property is not the most desirable location to maintain a residence. This property is located on Dulaney Valley Road, adjacent to the Baltimore Beltway, and is a highly congested and heavily travelled highway. It certainly would be difficult to raise small children at this location. This is what probably persuaded the County Council to change the zoning of

- 5 -

this property from Residential to Residential/Office use. Office use of this property is the best use of the site, given all the factors previously contained in this Order. However, I do believe that its use as offices must be restricted. While I do not believe that the restrictions imposed upon Dr. Spodak should carry on with this property in perpetuity, I do believe that this is an appropriate time to revisit and revise those restrictions. I am also inclined to modify those restrictions in a manner that I feel best applies to the current use of the property.

It was obvious from the testimony presented that Mr. & Mrs. Cuomo have made a substantial investment in this property. They obviously care very much for their property as is evident by its appearance. Mr. Cuomo maintains his own office at the property and therefore, takes an interest in other tenants who may occupy the property from time to time. In my opinion, and I think the community residents would agree, Mr. & Mrs. Cuomo have been good neighbors. Therefore, I will grant the Petitioners' request for special hearing to approve a modification of the previous restrictions associated with this property and impose restrictions which I feel best address the use of this property. I believe it is in the best interests of the community that the use of this property be monitored from time to time by Baltimore County. The restrictions contained at the end of this Order will provide for that.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing and variance relief requested were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief

- 6 -

requested will not be detrimental to the public health, safety, and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special exception shall be denied and the special hearing and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of June, 1993 that the Petition for Spe-

- 7 -

cial Hearing requesting an amendment to the special exception granted in Case No. 86-173-X which permitted the conversion of the subject property from a Class A to a Class B office building, and to revisit issues raised in prior Case No. 88-357-SPH for the existing Class B office building, in accordance with Petitioner's Exhibit 6, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Variance requesting relief from Section 203.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing 25 sq.-ft. sign in lieu of the maximum permitted 8 sq.-ft., in accordance with Petitioner's Exhibit 6, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted shall be rescinded.
- 2) The special hearing relief granted herein is limited to general office use, only. There shall be no medical offices whatsoever located within the subject building.
- 3) The second floor and basement levels of the subject property are permitted for use as office space, however, prior to the occupancy of the second floor or basement levels for such use, the Petitioners shall submit to this Deputy Zoning Commissioner, or my successor, a detailed letter explaining the type of business intending to rent said space and a copy of the lease for the proposed tenants. Any office use of the second floor or basement levels shall first be approved by this Deputy Zoning Commissioner, or my successor, prior to occupancy of same. This Deputy Zoning Commissioner, or my successor, shall have full discretion to reject any potential tenant that in this Office's opinion would overburden the use of the property as far as parking and/or the number of vehicular trips generated by such intended use.
- 4) All parking on the subject property shall be upon the paved macadam surface. There shall be no parking on any of the existing grassy areas on the property.

- 8 -

5) The sign relief granted herein is conditioned upon said sign being maintained in good condition. At no time shall the sign be illuminated and all existing lighting/fixtures shall be removed within ten (10) days of the date of this Order.

6) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

7) Within sixty (60) days of the date of this Order, the Petitioners shall have recorded in the Land Records of Baltimore County a copy of this Order so that any future purchaser of the subject property is notified of the restrictions and conditions governing its use. A copy of the recorded deed shall be submitted to this Office for inclusion in the case file prior to the issuance of any occupancy permits.

IT IS FURTHER ORDERED that the Petition for Special Exception requesting relief for an existing Class B office building with medical offices exceeding 25% which existed prior to the effective date of Bill No. 37-88, in accordance with Petitioner's Exhibit 6, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitions for Special Hearing and Special Exception to amend the CRG Plan for the subject property to be consistent with its present use, be and is hereby DISMISSED inasmuch as the Deputy Zoning Commissioner does not have the authority to rule upon such an amendment to the CRG.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

- 9 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

June 21, 1993

(410) 887-4386

Dennis E. Cuomo, Esquire
1018 Dulaney Valley Road
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
W/S Dulaney Valley Road, 192' N of Swathmore Drive
(1018 Dulaney Valley Road)
9th Election District - 4th Councilmanic District
Dennis E. Cuomo, et ux - Petitioners
Case No. 93-333-SPHXA

Dear Mr. Cuomo:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted in part, denied in part, and dismissed in part, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: Ms. Kathleen Stringfield
Dulaney Towers Maintenance Corp.
911 Locustvale Road, Towson, Md. 21204

Mr. Harold W. Tinsley, Director of Physical Plant
Goucher College, 1021 Dulaney Valley Road, Towson, Md. 21204

Mr. Joseph Mantz, Towson Park Community Corporation
940 Radcliffe Road, Towson, Md. 21204

People's Counsel
File



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 1018 Dulaney Valley Road

which is presently zoned R-O

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve.

An Amendment to the Special Exception granted by Case 86-173-X which order stipulated certain conditions as related to the conversion of a Class "A" to a Class "B" office building in a R-O zone with certain conditions and further to revisit issues raised in Case 88-357SPH, or in the alternative; (See Petition for Special Exception) Item No. 344. Further, to amend the CRG Plan for this Parcel to be consistent with the present use of this property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser/Lessee:
N/A
(Type or Print Name)

Signature: *Dennis E. Cuomo*
(Type or Print Name)

Address: *1018 Dulaney Valley Road*
City: *Towson* State: *MD* Zipcode: *21204*

City: *Towson* State: *MD* Zipcode: *21204*

Attorney for Petitioner:
Dennis E. Cuomo, Esq.
(Type or Print Name)

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1018 Dulaney Valley Road

which is presently zoned RO

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

To grant a Special Exception for a Class "B" office building with medical offices exceeding 25% which existed prior to effective date of Bill 37-1988 in the R-O Zone as shown on Petitioner's Exhibit.

Further, to amend the CRG Plan (IX-453) for this parcel to be consistent with the present use of this property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser/Lessee:
N/A
(Type or Print Name)

Signature: *Dennis E. Cuomo*
(Type or Print Name)

Address: *1018 Dulaney Valley Road*
City: *Towson* State: *MD* Zipcode: *21204*

City: *Towson* State: *MD* Zipcode: *21204*

Attorney for Petitioner:
Dennis E. Cuomo, Esq.
(Type or Print Name)

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

Signature: *Dennis E. Cuomo*
1018 Dulaney Valley Road (410) 832-5200
Address: *Towson, MD 21204*
City: *Towson* State: *MD* Zipcode: *21204*

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 16, 1993
Zoning Administration and Development Management

FROM: Robert W. Bowling, Senior Engineer
Development Plan Review

RE: Zoning Advisory Committee Meeting
for April 13, 1993
Item No. 944

The Development Plan Review Section has reviewed the subject zoning item. A final landscape plan based on the County Review Group Landscape Plan is required.

DWT:JAW

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-10-93

HELENE KEHRING
Ms. J. J. J. J.
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 4 344 (JCM)

KEHRING:
Dear Ms. J. J. J. J.:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 865-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: April 29, 1993

SUBJECT: 1018 Dulaney Valley Road

INFORMATION:

Item Number: 344

Petitioner: Dennis & JoAnn Cuomo

Property Size: 80' X 129'

Zoning: R.O.

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The Petitioner is requesting a Special Hearing to amend the Special Exception for a Class B office building granted in Case No. 86-173X or alternatively a Special Exception for a Class B office building with medical offices exceeding 25%. In either case, an amendment of the C.R.G. plan is requested to be consistent with the present use of the property. A sign Variance has been requested for an existing sign that is 25 square feet in lieu of the required 8 square feet. A parking Variance is noted on the plan as being requested, but a petition is lacking.

On a procedural note, the requested amendment to the C.R.G. plan may be outside the scope of the Zoning Commissioner's hearing; it may need to be amended by the C.R.G., unless this is a hearing officer's hearing utilizing the new development process.

The history of the property is important because it establishes a framework for these comments and it demonstrates that the current owner and previous owner have both expanded the Class B office building above and beyond the approved C.R.G. Plan and Special Exception (see attachment). The site is approved for 1603 square feet of office use on the first floor, no more than five employees, seven parking spaces, and hours of operation from 9:00 a.m. to 5:00 p.m.

APPEAL

Petition for Variance
W/S Dulaney Valley Road, 192' N of Swathmore Drive
(1018 Dulaney Valley Road)
9th Election District - 4th Councilmanic District
Dennis E. Cuomo, et ux -Petitioner
Case No. 93-333-SPHXA

Petition(s) for Variance **appealed only

Petitions(s) for Special Hearing and Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Plat to Accompany Variance

2 - Zoning Map NE-11A

3 - Zoning Description

4 - Three Photographs of Signage

5 - Topographic Map

6 - Plat to Accompany Variance,
Special Hearing and Special Exception

Deputy Zoning Commissioner's Order dated June 21, 1993
(special exception-denied, and special hearing hearing and variance-granted)

Notice of Appeal received on July 20, 1993 from Dennis E. Cuomo

c: Dennis E. Cuomo, Esquire, 323-325 South Conkling Street,
Baltimore, MD 21224
Ms. Kathleen Stringfield, Dulaney Towers Maintenance Corp., 911
Locustvale Road, Towson, MD 21204
Mr. Harold W. Tinsley, Director of Physical Plant, Coucher
College, 1021 Dulaney Valley Road, Towson, MD 21204
Mr. Joseph Wantz, Towson Park Community Corporation, 940
Radcliffe Road, Towson, MD 21204
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM

Attachment

1984- property was given R.O., Residential Office zoning by the Baltimore County Council, Dr. Spodak - property owner.

4/17/85- C.R.G. approval for a Class A Office Building with the following restrictions:

1. The hours of operation from 9:00 a.m. to 5:00 p.m.
2. The maximum number of employees would be five.
3. There would be 1470 square feet of office use on the first floor, no use shown of the basement or second floor.

8/15/85- Porch area is proposed to be enclosed. C.R.G. plan is amended for 1603 square feet of office use; other restrictions remain the same.

10/29/85- Special Exception for a Class B office building is granted, 86-173X with restrictions:

1. Revised plan showing dimensions of the building, elevation drawing of the porch is to be submitted for C.R.G. approval.
2. Extend a 6' privacy fence on the north and west property lines.
3. Extend crusher run drainage area.

11/6/87- Spodak is cited for failure to comply with conditions and restrictions set forth in 86-173X, C.R.G. plan was not amended.

10/3/89- Board of Appeals denies 88-357SPH, a request to change the number of employees and the hours of operation. Testimony and evidence is presented that he has "virtually ignored the restriction of hours, virtually ignored the restriction on the number of employees, and his patients have, on occasion, created parking problems in the neighborhood." (Board of Appeals order).

9/90- Violation proceedings are suspended when Spodak moves out.

10/30/90- Property is sold to Dennis and JoAnn Cuomo.

10/24/91- Cuomo requests rezoning from R.O. to O-1 - CZMP Issue 4-024.

1/9/92- Citation for zoning violation is made for operation of a Class B office building without benefit of an approved C.R.G. plan, Special Exception and use of an office building for the operation of medical offices occupying more than 25% of the total adjusted gross floor area.

A stat agreement is subsequently approved due to the pending Comprehensive Map issue.

10/15/92- Baltimore County Council adopts Comprehensive Zoning Maps retaining R.O. zoning.

1/26/93- Citation for zoning violation is made for a sign in excess of 8 square feet without benefit of a zoning variance.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee

DATE: April 16, 1993

FROM: Jerry L. Pfeifer, Captain
Fire Department

SUBJECT: Zoning Petitions

#325 No comments

#327 No comments

#332 No comments

#340 No comments

#341 No comments

#342 No comments

#343 No comments

#344 No comments

#345 No comments

#346 No comments

#347 No comments

#348 No comments

#349 No comments

#350 No comments

#351 The building shall be built in compliance with the applicable provisions of the Life Safety Code and the County Fire Code.

#352 No comments

JLP/dal

cc: File

RECEIVED
APR 20 1993
ZADM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 21, 1993

Ms. Kathleen Stringfield
Dulaney Towers Maintenance Corp.
911 Locustvale Road
Towson, MD 21204

Mr. Harold W. Tinsley
Director of Physical Plant
Coucher College
1021 Dulaney Valley Road
Towson, MD 21204

Mr. Joseph Wantz
Towson Park Community Corporation
940 Radcliffe Road
Towson, MD 21204

RE: Petition for Variance
W/S Dulaney Valley Road, 192' N of Swathmore Drive
(1018 Dulaney Valley Road)
9th Election District
4th Councilmanic District
Dennis E. Cuomo, et ux -Petitioner
Case No. 93-333-SPHXA

Dear Ms. Stringfield, Mr. Tinsley and Mr. Wantz:

Please be advised that an appeal of the above-referenced case was filed in this office on July 20, 1993 by Dennis E. Cuomo. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

Arnold Jablon
Director

AJ:jaw

c: Dennis E. Cuomo, Esquire
People's Counsel

RECEIVED
COUNTY BOARD OF ZONING
30 JUL 22 PM 2:30

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Dennis E. Cuomo, et ux
Case No. 93-333-SPHXA

DATE: December 9, 1993

BOARD / PANEL: Michael B. Sauer, Acting Chairman (MBS)
C. William Clark (CWC)
Harry E. Buchheister, Jr. (HEB)

SECRETARY: Kathleen C. Weidenhammer
Administrative Assistant

Those present included Dennis E. Cuomo, Esquire, Petitioner;
Carole S. Demilio, Deputy People's Counsel for Baltimore
County.

PURPOSE --to deliberate issues and matter of Petitioner's
request for an illuminated sign on the property which is the
subject of this appeal. Hearing had on December 9, 1993; open
deliberation immediately following at conclusion of hearing.

CWC: Opening comments /review of testimony; found practical
difficulty in location of property; would restrict use of
lighting as testified to; not permit illumination after 8:00
p.m. at night; however, expressed problem with BCZR 203.3;
further reviewed appropriate zoning regulations; believes this
to be a use variance as opposed to area variance and therefore
request must be denied.

Request must be denied /use variance; not within authority of
Board to grant.

MBS: Considered and read Opinion/Order of Deputy Zoning
Commissioner; believes to be well-reasoned; discussed zoning
regulations relative to small office uses in residential
areas, such as Townson, and use of R.O. zoning; briefly
described character of neighborhood. Agrees with Mr. Clark
that this is not an area variance; appears more likely to be
use variance, and as such CBA does not have any authority to
grant use variance; however, also is not persuaded by
testimony that it should be granted; believes that request

Minutes of Deliberation /Dennis E. Cuomo, et ux /93-333-SPHXA

as to illumination of sign should be denied.
Request should be denied; not within authority to grant.

MBS: Briefly stated his position and further expressed his opinion
that request for illuminated sign should be denied.
Request should be denied.

Closing statement by Acting Chairman Sauer; written opinion and
order to be issued by the Board reflecting final decision; time for
appeal to run from date of that written Opinion and Order.

Respectfully submitted,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

2

9/22/93 - Following parties notified of hearing set for Wednesday,
December 8, 1993 at 10:00 a.m.:

Dennis E. Cuomo, Esquire
Ms. Kathleen Stringfield
Dulaney Towers Maintenance Corp.
Mr. Harold W. Tinsley
Goucher College
Mr. Joseph Wanta
Townson Park Community Corp.
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /EADM
Docket Clerk /EADM
Arnold Jablon, Director /EADM

9/30/93 - Letter from Dennis E. Cuomo requesting reassignment of hearing date from
scheduled date of December 8th due to Circuit Court conflict /Worcester
County. Available dates of 12/07; 12/09; 12/10; and 12/14, if possible
dates on Board's schedule.

10/08/93 -Notice of PP and Reassignment sent to above parties; case rescheduled to
Thursday, December 9, 1993; Mr. Cuomo's secretary, Dawn, notified by
telephone of rescheduled date.

12/09/93 -Hearing had before Board; at conclusion of testimony and evidence,
Board deliberated; Request for illuminated sign DENIED to be DENIED.
Written Opinion and Order to be issued, with appeal period running
from date of that written Order.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

July 16, 1993

(410) 887-4386

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

Dennis E. Cuomo, Esquire
1018 Dulaney Valley Road
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
1018 Dulaney Valley Road
Case No. 93-333-SPHXA

Dear Mr. Cuomo:

In response to your letter dated July 9, 1993 in which you have
requested a slight modification of my decision in the above-captioned
matter to permit limited illumination of your office sign, the following
comments are offered.

After considering the contents of your correspondence, I do not
believe that sufficient reason exists to allow the sign to continue to be
illuminated at any time of day. As was noted at the hearing, the citizens
of this community have fought hard to maintain what's left of the residen-
tial character of their neighborhood and I believe that an illuminated
sign will detract from that residential setting. Therefore, your request
for modification is being denied herewith.

As you know, you have the right to appeal my decision provided
you do so within thirty (30) days of the date of my Order. Should you
wish to pursue this matter through the appeals process, please contact the
Zoning Administration and Development Management office at 887-3391 for
further information and filing fees.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Kathleen Stringfield, Dulaney Towers Maintenance Corp.
911 Locustvale Road, Towson, Md. 21204

Mr. Harold W. Tinsley, Director of Physical Plant, Goucher College,
1021 Dulaney Valley Road, Towson, Md. 21204

Mr. Joseph Wanta, Towson Park Community Corporation
940 Radcliffe Road, Towson, Md. 21204

People's Counsel; File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 27, 1993

(410) 887-4386

Mr. Harold W. Tinsley
Director of Physical Plant Services
Goucher College
1021 Dulaney Valley Road
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
1018 Dulaney Valley Road
Dennis E. Cuomo - Petitioner
Case No. 93-333-SPHXA

Dear Mr. Tinsley:

In response to your letter dated July 18, 1993 concerning the
above-captioned matter, the following comments are offered.

Perhaps our correspondence has crossed in the mail; however, I
am enclosing herewith another copy of my response (dated July 15, 1993) to
Mr. Cuomo's request for modification to permit limited illumination of his
office sign. I believe the enclosed correspondence will address the con-
cerns raised in your letter.

In the event you have any further questions on the subject,
please do not hesitate to contact me.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs
Enclosure
cc: File

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
September 22, 1993

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND
SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE
IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO
POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF
SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH
RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 93-333-SPHXA DENNIS E. CUOMO, ET UX
W/s Dulaney Valley Road, 192' N of
Swarthmore Drive
(1018 Dulaney Valley Road)
9th E; 4th C

SPH - To amend prior SE granting
conversion from Class A to Class B office
bldg. & medical offices; revisit of
issues raised in prior case; SPH /SE -To
amend CRG plan; and VAR -sign

6/21/93 -D.E.C.'s Order in which Petition
for SE and SPH to amend CRG Plan was
DISMISSED; Petition for SPH to amend
prior SE and revisit issues was GRANTED;
and Petition for VAR GRANTED with
restrictions.

NOTE: Appealed as to restriction on
Variance portion only.

ASSIGNED FOR: WEDNESDAY, DECEMBER 8, 1993 at 10:00 a.m.

cc: Dennis E. Cuomo, Esquire Appellant /Petitioner
Ms. Kathleen Stringfield
Dulaney Towers Maintenance Corp.
Mr. Harold W. Tinsley
Goucher College
Mr. Joseph Wanta
Townson Park Community Corp.
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /EADM
Docket Clerk /EADM
Arnold Jablon, Director /EADM

Kathleen C. Weidenhammer
Administrative Assistant

Printed with Soybean Ink
on Recycled Paper

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
October 8, 1993

NOTICE OF POSTPONEMENT & REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND
SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE
IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO
POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF
SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH
RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 93-333-SPHXA DENNIS E. CUOMO, ET UX
W/s Dulaney Valley Road, 192' N of
Swarthmore Drive
(1018 Dulaney Valley Road)
9th E; 4th C

SPH - To amend prior SE granting
conversion from Class A to Class B office
bldg. & medical offices; revisit of
issues raised in prior case; SPH /SE -To
amend CRG plan; and VAR -sign

6/21/93 -D.E.C.'s Order in which Petition
for SE and SPH to amend CRG Plan was
DISMISSED; Petition for SPH to amend
prior SE and revisit issues was GRANTED;
and Petition for VAR GRANTED with
restrictions.

NOTE: Appealed as to restriction on
Variance portion only.

which was scheduled to be heard on December 8, 1993 has been
POSTPONED at the request of Petitioner due to Circuit Court
conflict; and has been

REASSIGNED FOR: THURSDAY, DECEMBER 9, 1993 at 10:00 a.m.

cc: Dennis E. Cuomo, Esquire Appellant /Petitioner
Ms. Kathleen Stringfield
Dulaney Towers Maintenance Corp.
Mr. Harold W. Tinsley
Goucher College
Mr. Joseph Wanta
Townson Park Community Corp.
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards /EADM
Docket Clerk /EADM
Arnold Jablon, Director /EADM

Kathleen C. Weidenhammer
Administrative Assistant

Printed with Soybean Ink
on Recycled Paper

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

January 28, 1994

Dennis E. Cuomo, Esquire
323-325 South Conkling Street
Baltimore, MD 21224

RE: Case No. 93-333-SPHXA
Dennis E. Cuomo, et ux

Dear Mr. Cuomo:

As no appeals have been taken regarding the subject matter, we
have closed the file and returned same to the Office of Zoning
Administration and Development Management, along with any exhibits
entered in this matter. The Zoning Office maintains the permanent
file.

Anyone interested in either the file or the exhibits is
advised to contact the Zoning Director's office at 887-3353
immediately upon receipt of this letter. By copy of this letter,
all parties of record that may have an interest in this file have
been notified.

Very truly yours,
Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

cc: Ms. Kathleen Stringfield
Mr. Harold W. Tinsley
Mr. Joseph Wanta
People's Counsel for Baltimore County

Printed with Soybean Ink
on Recycled Paper